

**City of Poughkeepsie
Zoning Board of Appeals
Meeting Agenda**

Common Council Chambers
Tuesday, September 26, 2023
6:00 PM

I. CALL TO ORDER

II. APPROVAL OF MEETING MINUTES

1. Approval of August 29, 2023 Meeting Minutes

III. PUBLIC HEARINGS & DELIBERATIONS

1. 375-379 MAIN STREET – INTERPRETATION

Application for interpretation relative to the proposed conversion of the existing building at 375-379 Main Street from a retail store to a hotel with amenities and whether such conversion requires site plan approval from the Planning Board pursuant to the provisions of Section 19-3.37(7) Table 3-37-1, Section 19-3.37(6)(a), Section 19-3.37.4 and Section 19-3.37(13)(a) of the Zoning Ordinance. While Section 19-3.37(7) Table 3.37-1 permits hotels in the PID-HC in which the property is located, and Section 19-3.37(7) in theory exempts hotels from Planning Board review, Section 19-3.37(13)(a) Table 3.37-4 details parking requirements and provides that Planning Board determine the parking requirement for “other uses” for which a parking requirement during site plan review. Hotels are such an “other use.” Further, the Planning Board previously reviewed and approved such use of the property as a hotel was subject to site plan review and approval in 2020. The applicant argues that site plan approval is not required. Owner: 375 Main Street LLC; Applicant: Chai Developers LLC; Consultant: Natalie Quinn, KARC Consulting; Grid #6162-78-160058

2. 75 SOUTH HAMILTON - AREA VARIANCE

Application for area variance relative to the conversion of an existing building from a single-family dwelling into a two-family dwelling. The area variances requested are in regards to Section 19-3.15(4)(a) requiring a lot area minimum of 10,000 square feet to allow for 4,879 square feet (a reduction of 5,121 square feet). As well as requiring a minimum 6 feet side yard, to allow for a 0 foot side yard on the right side of the addition.

Owner/Applicant: 75 S Hamilton LLC; Consultant: Mazzarelli Architecture and Planning; Grid: # 6161-21-118891; Zoning District: R-4, Medium High-Density Residence; File #2023-015

3. 398 CHURCH STREET - AREA VARIANCE

Application for the installation of a fence. The area variance is relative to Section 19-4.12(5) where no fence shall be permitted nearer than 10 feet to any wall or an adjoining building that contains legal windows to allow a fence within 6 and 8 feet depending on portion of wall. Owner/Applicant: 398 Church LLC, George Lulaj; Grid: # 6162-24-492881; Zoning District: R-4 Medium High-Density Residential; File #2023-026

4. 196 WINNIKEE AVENUE – AREA VARIANCE

Application for area variances relative to the proposed conversion of the existing single family dwelling to a two family dwelling. The variance requested is of Section 19-3.15(4)(a), requiring 10,000 square feet of lot area, to allow 8,150 square feet. Owner: Henry Seay/Amal and Mohamad Salameh; Applicant: MI Design; Consultant: MI Design.; Grid #6162-80-481124

5. LOT #458149 (7) MORGAN AVENUE – AREA VARIANCE

Application for area variances relative to the proposed construction of two multiple dwellings containing a total of nine dwelling units on a vacant parcel. The variances requested are of Section 19-3.15(4)(c), requiring 36,000 square feet of lot area, to allow 13,800 square feet; Section 19-3.15(4)(e)(2), requiring 15 foot side yards, to allow 6 foot side yards; Section 19-3.15(4)(f), requiring a front yard set back of 20 feet, to allow a front yard set back of 10 feet; Section 19-3.15(4)(i) requiring that 3600 square feet of usable open space for tenant recreational purposes be provided, with minimum dimensions of 30'x40', to allow an area of 918 square feet with dimensions of 27'x34'; Section 19-4.3(5)(a) requiring a driveway a minimum of 15 feet in width, to allow a 14' wide driveway;

Section 19-4.3(5)(b), requiring parking spaces a minimum of 20 feet deep, to allow parking spaces 18' deep; Section 19-4.3(11), requiring 18 parking spaces, to allow 13 parking spaces; Section 19-4.13(2), requiring that all accessory parking be located within a side or rear yard and not within a front yard, to allow one space to be located partially within the front yard; and, Section 19-4.14(3)(2), requiring that no wall containing legal windows be located within 10 feet of a fence, to allow both buildings to be located

within 6 feet of existing fences. Owner: 21st Century Living LLC; Applicant: James Patterson (Patterson Calhoun LLC); Consultant: Ciro Interrante, Architect, P.C.; Grid #6162-72-458149

6. 100 CANNON STREET - AREA VARIANCE

Application for area variance relative to the proposed installation of a fence on the property at 100 Cannon Street. The variance requested is of Section 19-4.14(3)(2), requiring that no fence be located within 10 feet of any wall containing legal windows: the proposed fence is within 4.5-5.5 feet of an existing building containing legal windows to the south (29-31 South Hamilton Street). Owner: Redeemed Christian Fellowship; Application: Bishop Dr. Kendrick McBean; Consultant: Ciro Interrante, Architect, P.C.; Grid #6161-22-152994

7. 357 HOOKER AVENUE – AREA VARIANCE

Application for area variances relative to the proposed renovation of the standard restaurant at 357 Hooker Avenue, including: proposed outdoor seating areas, outdoor cooking area, pavilion, outdoor storage container and dumpster. The variances requested are of Section 19-4.3(1), requiring that whenever a parking area containing three or more spaces faces a street or property line, a planting area a minimum of three feet wide and three feet high planted three feet on center shall be provided between the parking area and the property line, to allow no landscaping; Section 19-4.3(1), requiring that all parking lots with more than 24 spaces shall be interrupted by landscaping approved by the Planning Board, to allow no landscaping; Section 19-4.11(1)(b), requiring landscape strips or opaque screening along the property lines of all nonresidential uses, to allow no such perimeter landscaping; Owner: Highway Displays Inc; Applicant: Terricena Brown; Consultant: Ciro Interrante, Architect, P.C.; Grid #6161-66-744353

IV. APPLICATION REVIEW

1. 27 HIGH STREET - AREA VARIANCE

Application for area variance relative to Section 19-3.15(4)(c) requiring a lot area of 159,000 sf to allow for a lot area of 53,579 sf, a variance of 11,600 sf more than previously approved 93,821 sf and section 19-3.15(4)(f) requiring 22,900 sf of open space to allow for 21,548 sf a variance of 225 sf more than the previously approved 1,097 sf. Owner/Applicant: 27 High Street Lofts LLC; Consultant: KARC Planning Consultants, Inc.; Grid: # 6162-62-192294.

2. 40 GARDEN STREET – AREA VARIANCE

Application for area variance relative to the installation of a replacement

sign. Lot deficiencies were noted regarding; Section 19-4.9(9)(d)2 requiring signs be a maximum of 6 feet high, to allow for 11 feet, (a variance of 5 feet); Section 19-4.9(9)(d)2 requiring a maximum sign face of 36 square feet, to allow for 44 square feet, (a variance of 8 square feet); Section 19-4.9(9)(d)4 requiring a maximum of 4 words, to allow for 40-50 words, (a variance of 36-46 words). Owner: 40 Garden Street, LLC; Applicant: GNS Group, Ltd; Grid: # 6162-69-084135; Zoning District: C-2 Central Commercial; File #2023-017

3. 1 COTTAGE STREET - ZONING INTERPRETATION

Application for an interpretation relative to nonconforming use Section 19-5.1(c) which states that a use shall not be changed to another nonconforming use without approval by the Zoning Board of Appeals, and then only to a use which, in the opinion of said Board, is of the same or of a more restricted nature. No building or land changed to a more restricted nonconforming use shall be changed back to a less restrictive use. Owner/Applicant: Ibrianis Dominguez; Consultant: Z3 Consultants Inc; Grid: # 6161-48-470546; File #ZBA2023-023

V. ADJOURNED APPLICATIONS

1. The following applications are adjourned until the October meeting

1. 7 GRANT STREET – AREA VARIANCE
2. 63 THOMPSON STREET - AREA VARIANCE
3. 419 MAPLE STREET - AREA VARIANCE
4. 54-58 SMITH STREET - AREA VARIANCE
5. 20 CORLIES AVENUE - AREA VARIANCE



City of Poughkeepsie Zoning Board of Appeals Meeting Minutes

Common Council Chambers

Tuesday, August 29, 2023 6:00 PM

Common Council Chambers

Tuesday, August 29, 2023 6:00 PM

DRAFT

ATTENDANCE

Scott Parker
Jessica Vinall
Thomas Klug
Justin Phillips
Sam Finnerman
Brian Ineson 6:43 PM

ABSENT

STAFF

Richard Distel, City Planner 6:26 PM
Tyler Maegerle, Junior Planner
Lori Garcia, Board Administrative Assistant

I. CALL TO ORDER 6:05 pm

II. APPROVAL OF MEETING MINUTES

1. Approval of July 24, 2023 Meeting Minutes
Motion: Scott Parker
Second: Thomas Klug
Carried: 5:0:0

III. PUBLIC HEARINGS & DELIBERATIONS

2. 75 SOUTH HAMILTON - AREA VARIANCE

Application for area variance relative to the conversion of an existing building from a single-family dwelling into a two-family dwelling. The area variances requested are in regards to Section 19-3.15(4)(a) requiring a lot area minimum of 10,000 square feet to allow for 4,879 square feet (a reduction of 5,121 square feet). As well as requiring a minimum 6 feet side yard, to allow for a 0 foot side yard on the right side of the addition.

Owner/Applicant: 75 S Hamilton LLC; Consultant: Mazzarelli Architecture and Planning; Grid:# 6161-21-118891; Zoning District: R-4, Medium High-Density Residence; File #2023-015

Presenting: Natia Porter
Carlos Mazzarelli, Mazzarelli Architecture

Motion to Open the Public Hearing
Motion: Scott Parker
Second: Jessica Vinall
5:0:0

No Speakers

Motion to Close the Public Hearing
Motion: Scott Parker
Second: Jessica Vinall
5:0:0

3. 40 GARDEN STREET - AREA VARIANCE

Application for area variance relative to the installation of a replacement sign. Lot deficiencies were noted regarding; Section 19-4.9(9)(d)2 requiring signs be a maximum of 6 feet high, to allow for 11 feet, (a variance of 5 feet); Section 19-4.9(9)(d)2 requiring a maximum sign face of 36 square feet, to allow for 44 square feet, (a variance of 8 square feet); Section 19-4.9(9)(d)4 requiring a maximum of 4 words, to allow for 40-50 words, (a variance of 36-46 words). Owner: 40 Garden Street, LLC; Applicant: GNS Group, Ltd; Grid:# 6162-69-084135; Zoning District: C-2 Central Commercial; File #2023-017

Presenting: Nancy Forrest, Gloede Signs

Motion to Open the Public Hearing
Motion: Scott Parker
Second: Jessica Vinall
5:0:0

No Speakers

Motion to Close the Public Hearing
Motion: Scott Parker
Second: Jessica Vinall
5:0:0

4. 27 HIGH STREET AREA VARIANCE

Application for area variance relative to Section 19-3.15(4)(c) requiring a lot area of 159,000 sf to allow for a lot area of 53,579 sf, a variance of 11,600 sf more than previously approved 93,821 sf and section 19-3.15(4)(f) requiring 22,900 sf of open space to allow for 21,548 sf a variance of 225 sf more than the previously approved 1,097 sf. Owner/Applicant: 27 High Street Lofts LLC; Consultant: KARC Planning Consultants, Inc.; Grid:# 6162-62-192294; File #ZBA2023-024

Presenting: Natalie Quinn, KARC Consulting

Motion to Open the Public Hearing
Motion: Scott Parker
Second: Jessica Vinall
5:0:0

No Speakers

Motion to Close the Public Hearing
Motion: Tom Klug
Second: Jessica Vinall
5:0:0

5. 1COTTAGE STREET-ZONING INTERPRETATION

Application for an interpretation relative to nonconforming use Section 19-5.1(c) which states that a use shall not be changed to another nonconforming use without approval by the Zoning Board of Appeals, and then only to a use which, in the opinion of said Board, is of the same or of a more restricted nature. No building or land changed to a more restricted nonconforming use shall be changed back to a less restrictive use.
Owner/Applicant: Ibrianis Dominguez; Consultant: Z3 Consultants Inc;
Grid:# 6161-48-470546; File #ZBA2023-023

Presenting: Gary Beck, Z3 Consultants

Motion to Open the Public Hearing
Motion: Scott Parker
Second: Tom Klug
6:0:0

Kenneth Stickle
Sal Vonar

Motion to Close the Public Hearing
Motion: Scott Parker
Second: Tom Klug
6:0:0

6. 398 CHURCH STREET: AREA VARIANCE

Application for the installation of a fence. The area variance is relative to Section 19-4.12(5) where no fence shall be permitted nearer that 10 feet to any wall or an adjoining building that contains legal windows to allow a fence within 6 and 8 feet depending on portion of wall. Owner/Applicant: 398 Church LLC, George Lulaj; Grid:# 6162-24-492881; Zoning District: R-4 Medium High-Density Residential; File #2023-026

Presenting: Tom Cummings, Engineer
George Lulaj, Owner

Motion to Open the Public Hearing

Motion: Scott Parker

Second: Tom Klug

6:0:0

No Speakers

Motion to Adjourn the Public Hearing due to lack of proof of notice

Motion: Justin Phillips

Second: Tom Klug

6:0:0

7. LOT #581599 SOUTH GRAND AVENUE: AREA VARIANCE

An application for the placement of a single-story modular home. The area variance is relative to Section 19-3.12(4)(d)(I) which requires a front yard set-back of twenty (20) feet to allow for a set-back of 12', a variance of 8'.

Owner/Applicant: Habitat for Humanity Dutchess County; Consultant:

Lawrence J. Paggi, PE, PC; Grid:# 6161-49-581599; Zoning District:

Central Low-Density (R-2A); File #2023-010

Presenting: Maureen Lashlee, CEO Habitat for Humanity off Dutchess County

Motion to Open the Public Hearing

Motion: Scott Parker

Second: Tom Klug

6:0:0

No Presenters

Motion to Close the Public Hearing

Motion: Scott Parker

Second: Tom Klug

6:0:0

A motion was made to Approve the Resolution as read

Motion: Scott Parker

Second: Tom Klug

6:0:0

IV. APPLICATION REVIEW

1. 20 CORLIES AVENUE -AREA VARIANCE

Application for area variance relative to converting a single family dwelling to a two family dwelling.

ADJOURNED TO SEPTEMBER 26, 2023

2. 54-58 SMITH STREET - AREA VARIANCE

Application for area variance relative to the addition of two apartments to an approved plan for an eight unit apartment.

ADJOURNED TO SEPTEMBER 26, 2023

3. 419 MAPLE STREET -AREA VARIANCE

Application for area variance relative to the conversion of a two-family dwelling to a four-family dwelling.

ADJOURNED TO SEPTEMBER 26, 2023

4. 63 THOMPSON STREET - AREA VARIANCE

Application for area variance relative to adding a 3rd apartment to a two family dwelling.

ADJOURNED TO SEPTEMBER 26, 2023

5. 7 GRANT STREET - AREA VARIANCE

Application for area variance relative to the conversion of a single family dwelling to a two family dwelling.

ADJOURNED TO SEPTEMBER 26, 2023

6. 040302 MARSHALL STREET - AREA VARIANCE

Application for area variance relative to the construction of a two (2) story single family modular home. Lot deficiencies were noted regarding; Section 19-3.13.1(4)(b) requiring a minimum 50' front width, to allow for 40', (a variance of 10'); Section 19-3.13.1(4)(d)2 requiring a minimum 10' side yard, to allow for 5', (a variance of 5'); Section 19-4.3(11) requiring 2 parking spaces, to allow for 1 space, (a variance of 1 space). Owner: Habitat for Humanity Dutchess County Applicant/Consultant: David Freeman, RA, Architect; Grid:# 6162-71-318149, Zoning District: R-2A Central Low-Density, File #2023-003

Presenting: Maureen Lashlee, CEO Habitat for Humanity off Dutchess County

A motion was made to Approve the Resolution as written and posted

Motion: Scott Parker

Second: Tom Klug

6:0:0

7. LOT #228990 CANNON STREET: AREA VARIANCE

Application for area variance relative to the access lane whereas Section 19-4.3(5)(a) requires a minimum fifteen-foot (15') access lane for parking areas with fewer than 20 spaces. Variance requested is to allow for an access lane of twelve feet six inches (12'6"); a variance of two feet six inches (2'6"). Owner/Applicant: Cannon Street Collaborative; Consultant:

John Sullivan; Grid:# 6161-48-470546; File #ZBA2023-009

Presenting: John Sullivan, Consultant

A motion was made to Approve the Resolution as written and posted

Motion: Scott Parker

Second: Tom Klug

6:0:0

8. 230 MANSION STREET - AREA VARIANCE

Application for area variance relative to the 155 square foot addition on the back of an existing residence. The area variance requested is in regard to Section 19-3.15(4)(e) requiring a minimum side yard of 6' to allow 0 feet (a reduction of 6 feet) on the right side of the addition. Owner/Applicant: Jacqueline Bowen; Consultant: Carlo Frugiuele; Grid:# 6162-71-318149; Zoning District: Medium High-Density Residence District (R-4); File #2023-014

A motion was made to Approve the Resolution as written and posted

Motion: Scott Parker

Second: Justin Phillips

6:0:0

9. 51 Worrall Avenue: area variance

Application for area variance relative to the conversion of a mixed use commercial and two family residential building to a three family dwelling. Lot deficiencies were noted regarding; Section 19-3.14(4)(a) requiring a minimum lot area of 14,000 square feet to allow 3,484 square feet (a reduction of 10,516 square feet); Section 19-3.14(4)(d)2 requiring a 6 feet side yard, to allow??? feet; Section 19-3.14(4)(g) requiring 40 square feet of landscaped space, to allow for 38 square feet of landscaped space (a reduction of 2 square feet); and Section 19-4.3(11) requiring 5 parking spots, to allow for 3 parking spots (a reduction of 2 spots).

Owner/Applicant: Elias Ortiz and Cynthia Ortiz; Grid:# 6161-33-571761; Zoning District: R-2 Medium Low-Density Residential; File #2023-012

A motion was made to Approve the Resolution as written and posted

Motion: Scott Parker

Second: Jessica Vinall

6:0:0

10. 53 SOUTH CLOVER STREET-AREA VARIANCE

Application for area variance relative to the conversion of a two family dwelling to a three family dwelling. The area variance requested is in regards to Section 19-4.19(4)(k) requiring a minimum of a 1,100 s.f. of usable open space for the proposed use with a minimum dimension of 40'-0", to allow 849 s.f. with a maximum dimension of 30'-0" (a reduction of "251 s.f. and 10'-0" for the minimum dimension). Another is in regards to Section 19-4.3(11)(a) requiring 6 parking spaces on site, to allow for 0 spaces on site and 6 spaces off site (a reduction of 6 spaces).

Owner/Applicant: Mateusz Koziol, Worrall Properties; Consultant: Mauri Architects PC; Grid: #6062-83-849088; Zoning District: Central Urban Density (R-4A); File #2023-022

A motion was made to Approve the Resolution as written and posted

Motion: Scott Parker

Second: Tom Klug

6:0:0

Motion to adjourn the meeting Until September

Motion: Scott Parker

Second: Tom Klug

6:0:0

For more details regarding the meeting, please visit the [Meeting Webcast](#) or the [Agendas and Minutes](#) page on the [City of Poughkeepsie](#) website.



BUILDING DEPARTMENT

CITY OF POUGHKEEPSIE
62 CIVIC CENTER PLAZA, 2ND FLOOR
POUGHKEEPSIE, NY 12601
Phone: (845) 451-4007 Fax: (845) 451-4006

Eric Philipp
Building Inspector

June 23rd, 2023

Natalie Quinn

Re: 375-379 Main Street
ID: 286090
Zoning Review Request PD-2023-050

Dear Ms. Quinn,

The Development Department is in receipt of your zoning review request relative to the property at 375-379 Main Street and the proposed conversion of the existing building from a Retail store with storage into a Hotel with amenities. This property is located within The Historic Core Subdistrict (PID-HC) which does allow Hotels per code Section 19-3.37(7) Table 3.37-1 of the Zoning Ordinance. Although this permitted use has been designated to not require site plan review by the Planning Board, Table 3.37-4 classifies Hotels as "Other uses" and therefore, parking shall be determined by the Planning Board during Site Plan review. Section 19-3.37(13)(a) states that the Planning Board may use Section 19-4.3 of this chapter as guidance on standards or requirements that are not addressed herein. Section 19-4.3(11)(b) requires Hotels provide 1.25 spaces per rental unit.

As no plans were provided for the purpose of this review, at this time I will not be able to confirm compliance with the rest of the zoning code and variances from the Zoning Board of Appeals could be required. To address a specific question in your attached narrative, the Planning Board would review the entire Site for approval and would not just address the number of parking spaces required consistent with prior determinations of this office.

After Site Plan approval is granted by the Planning Board and all Area Variances are granted by the Zoning Board of Appeals if required, you would then need to file all required Building permits and obtain an issued Certificate of Occupancy from the Building Department.

If you have any questions or comments, please feel free to contact me, info is listed below, thanks.

Joseph D. O'Brien
Deputy Zoning Administrator
Office - 845-451-4273
jobrien@cityofpoughkeepsie.com

From: [Joseph O'Brien](#)
To: [Natalie Quinn](#)
Cc: [Eric Philipp](#)
Subject: RE: 375-379 Main Street
Date: Wednesday, July 5, 2023 9:59:09 AM
Attachments: [3958_001.pdf](#)

Natalie,

Attached is the previous determination, let me know if there is anything else I can assist with, thanks.

Joseph D. O'Brien

Deputy Zoning Administrator

62 Civic Center Plaza

Poughkeepsie, NY 12601

Office - 845-451-4273

Fax - 845-451-4006

jobrien@cityofpoughkeepsie.com

From: Natalie Quinn <natalie@karcpc.com>
Sent: Friday, June 30, 2023 3:55 PM
To: Joseph O'Brien <jobrien@cityofpoughkeepsie.com>
Cc: Eric Philipp <EPhilipp@cityofpoughkeepsie.com>
Subject: RE: 375-379 Main Street

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Joe,

Thank for the response. Will you please send me the "prior determination of this office" referenced in your letter regarding full site plan review.

Thank you and have a nice 4th of July!

Best,
Natalie

KARC
PLANNING CONSULTANTS, INC.

WBE Certified NY and NJ
DBE Certified

US SBA WOSB and EDWOSB Certified

KARC Planning Consultants

PO Box 924

Poughkeepsie, NY 12602

845.874.7166 (Mobile)

Natalie@karcpc.com

[https://link.edgepilot.com/s/510b5652/F20_iQOmYEydoeRPCOl1g?
u=https://www.karcpc.com/](https://link.edgepilot.com/s/510b5652/F20_iQOmYEydoeRPCOl1g?u=https://www.karcpc.com/)

From: Joseph O'Brien <jobrien@cityofpoughkeepsie.com>

Sent: Friday, June 23, 2023 2:53 PM

To: Natalie Quinn <natalie@karcpc.com>

Cc: Eric Philipp <EPhilipp@cityofpoughkeepsie.com>

Subject: 375-379 Main Street

Natalie,

Attached is the requested zoning review for 375-379 Main St, please let me know if you have any questions, thanks.

Joseph D. O'Brien

Deputy Zoning Administrator

62 Civic Center Plaza

Poughkeepsie, NY 12601

Office - 845-451-4273

Fax - 845-451-4006

jobrien@cityofpoughkeepsie.com

Links contained in this email have been replaced. If you click on a link in the email above, the link will be analyzed for known threats. If a known threat is found, you will not be able to proceed to the destination. If suspicious content is detected, you will see a warning.



**CITY OF POUGHKEEPSIE
PLANNING DEPARTMENT
MAY 19, 2020**

375 AND 379 MAIN STREET - ADAPTIVE REUSE / BOUTIQUE HOTEL

Site Plan application for the proposed adaptive re-use of a furniture store and warehouse to a 79 unit boutique hotel in the buildings at 375 and 379 Main Street, which will involve combining those two lots into a single lot of record. Grid #6161-78-160058 and 6162-78-163057; Owner: Steven and Thomas Chickery; Applicant: Urban Green Foods, LLC (Eric Anderson); Consultant: Matthew Cordone, PLLC; Zoned Poughkeepsie Innovation District - Historic Core (PID-HC); File #2019-060

Project Description

The applicant proposes to convert the existing furniture store and warehouse in the buildings at 375 and 379 Main Street to a 79 unit boutique hotel, which will include combining the two lots into a single lot of record, and creating a roof-top terrace space on the five story portion of the building for the exclusive use of guests of the hotel. Hotels are classified as “other uses” within Table 3.37-4 of the PID-HC; therefore, off-street parking requirements for the project are “As determined to be appropriate by the Planning Board during site plan review.”

History of Review

The application was first presented to the Planning Board on October 15, 2019. The project is classified as a Type II Action under SEQR and no further SEQR action is required. A Public Hearing was scheduled for November 19, 2019. That hearing has been opened and adjourned several times, including on January 21, 2020.

At the January meeting, the Planning Board voted that an escrow account of \$3,000 be established by the applicant for architectural review services by MASS Design Group or another architectural consulting firm. Also at the January meeting, the Planning Board determined that the off-street parking requirement for the hotel would be thirty (30) spaces.

At the February meeting, the Public Hearing was closed. The Planning Board reviewed MASS Design Group comments and the revisions made to the plans in response to those comments and comments from various City Departments.

Recommendations

In addition to the comments previously made, it is recommended that the Planning Board provide the applicant feedback as follows:

- Review of any revised plans submitted by applicant
- Review of architecture review letter submitted by MASS Design Group

Documents Entered into Record

Date	Description	Author	Comments
8/28/19	Site Plan Application	Urban Green Foods, LLC (Eric Anderson)	Application for site plan review
10/7/19	Site Plan set	Matthew Cordone, AIA	Site plan and supporting documentation, revised through 10/7/19
7/25/19	Full EAF	Eric Anderson	Full Environmental Assessment Form
8/26/19	Letter of Authorization	Steven Chickery	Letter from the property owner authorizing the Urban Green Foods, LLC to make the application
10/30/19	Fire Dept. Comments	Fire Chief Johnson	Standard comments from the Fire Dept.
11/2/19	Police Department Comments	Police Department	Comments of the Police Department
11/7/19	County Planning Comments	Heather LaVarnway	Dutchess County Planning Department Comments: local concern, with comments
11/12/19	Engineering Department Comments	Joseph Kane, Asst Civil Engineer	Form 1 from the Engineering Department, with comments/conditions
Unknown	Revised Site Plan set	Matthew Cordone, RA	Revised site plan set (not all sheets carry revision dates as required)
Unknown	Historical photo	Unknown	Historical photo of the Perlmutter Furniture store showing original facade
Unknown	Before and After renderings	Unknown	Renderings of the existing and proposed elevations
11/27/19	Memorandum to Natalie Quinn on parking requirements	Eric Anderson	Narrative of plan to address parking requirement
2/18/20	Revised plan set	Matthew Cordone	Revised set of project drawings
2/21/20	Letter	MASS Design Group	Comments and recommendations regarding architectural design
3/6/20	Façade Drawings	Matthew Cordone	SK-2, SK-3, renderings of selected "option 1"
3/9/20	Revised plan set	Matthew Cordone	Revised set of project drawings and cover letter detailing revisions

Motions & Resolutions

It is recommended that the Planning Board consider adopting the following resolution:

WHEREAS, the Planning Board has received an application for Site Plan Review relative to the proposed conversion of the existing buildings at 375 and 379 Main Street to a mixed use building

with a hotel (with guest amenities such as a business center, gym and roof top lounge) and a bakery;
and,

WHEREAS, the use is one which is permitted in the Poughkeepsie Innovation District Urban Historic Core (PID-HC); and,

WHEREAS, at the January 22, 2020 meeting the Board determined that the proposed use shall require thirty (30) off-street parking spaces to be provided; and

WHEREAS, the required thirty (30) parking spaces will be provided via fee in lieu of off-street parking as outlined in Section 19-3.37(13)(e) of the Zoning Ordinance; and,

WHEREAS, the project is classified as a Type II action under SEQRA and is not subject to further environmental review; and

WHEREAS, the action is more fully detailed on the application form and revised plans dated 3/9/20, and revised elevations dated 3/6/20, prepared by Matthew Cordone, Architect; and,

WHEREAS, upon completion of the project, prior to the issuance of the final certificate of occupancy, an as-built site plan set shall be submitted to the Planning Department for certification of compliance with Planning Board approval; and

NOW THEREFORE BE IT FURTHER RESOLVED that the Board grant site plan approval for the proposed conversion with the following conditions:

- The lots be combined into a single lot of record;
- All signage, whether shown on this plan or not, will require the filing of an application for sign permit for review and approval;
-

Motion:

Second:

Carried:

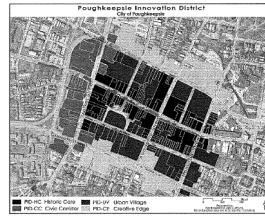
Section 19-3.37. Poughkeepsie Innovation District (PID).¹ [Ord. No. O-19-2, 2-11-2019, § 1]

- (1) *Purpose of district.* The purpose of the Poughkeepsie Innovation District (PID) zoning is to implement the principles and overall objectives established in the Poughkeepsie Innovation District-Policy Framework (PID-PF). The PID-PF provides a detailed implementation framework for executing the principles advanced by previous planning efforts such as the Poughkeepsie City Center Revitalization Plan (PCCRP) and the Main Street Economic Development Strategy (MSEDS). The purpose of the Poughkeepsie Innovation District (PID) and subdistricts, as further described in Section 19-3.37(4) below, is to revitalize the City of Poughkeepsie's historic Central Business District through the fostering of a walkable mixed-use neighborhood that supports quality residential development and institutional spaces for learning and socializing, as well as work spaces for Poughkeepsie's creative and innovative businesses.

Specifically, the six key components of the Poughkeepsie Innovation District-Policy Framework include:

- (a) Land use and urban design regulations that encourage transit-oriented development and the preservation of Main Street's historic character.
 - (b) Proposals for stimulating local revitalization through the building of a creative economy that supports and enhances Poughkeepsie's creative and applied arts industries while also coordinating with local institutions to improve education and workforce development opportunities.
 - (c) Recommendations for connecting the Poughkeepsie Innovation District to the rest of the City and region through an integrated transit network with multimodal connections.
 - (d) Strategies for retaining and enhancing affordable housing within the Poughkeepsie Innovation District.
 - (e) Strategies for remediating and redeveloping vacant properties, including surface parking lots.
 - (f) Recommendations for efficient governance and implementation through the fostering of partnerships, a streamlined development process, and marketing of the Poughkeepsie Innovation District.
- (2) *Boundaries of Poughkeepsie Innovation District.* The PID centers upon a portion of Poughkeepsie's historic Main Street, a cluster of civic institutions, and a regional bus hub. The area within the PID is sometimes referred to as the City's Central Business District. The northern and southern boundaries of the district are delineated by the westbound and eastbound arterials, Mill Street and Church Street, respectively, with the PID incorporating parcels on either side of the roadways. Columbus Drive serves as the district's boundary to the west, and Hamilton Street delineates the eastern boundary. Parcels on both sides of Hamilton Street are included within the PID. The boundaries of the Poughkeepsie Innovation District and subdistricts are shown in Figure 3.37-1.

1. Editor's Note: Former Section 19-3.37, Transportation Center District (T) [Ords. (two) of 2-22-1982, as amended, was deleted pursuant to L.L. No. 4-2014, 11-17-2014, § 3.

Figure 3.37-1. Poughkeepsie Innovation District and Subdistrict Boundaries

- (3) *Pre-approved building forms.* The PID regulations provide building owners and developers with broad latitude to build as-of-right a variety of land uses within the Poughkeepsie Innovation District. The PID offers four different subdistricts that allow for a variation of land uses within a single district as long as building placement, dimensions, and facades meet the prescribed typologies. These regulations are designed to streamline the development review process by establishing clear guidelines that are mutually understood by the Planning Board and the development community as consistent with the Poughkeepsie Innovation District-Policy Framework.
- (4) *Subdistricts.* The land use and development objective of each of the four PID subdistricts is described below.
- (a) The Historic Core (PID-HC) Subdistrict is a medium-density commercial corridor with vertically mixed buildings characterized by engaging ground floor uses such as restaurants, bars, retail, personal services, artisan manufacturing, and galleries that are flush with the front property line and maintain high levels of ground floor transparency to create an engaging pedestrian environment. In addition to and not in lieu of the requirements set forth in Section 19-4.5, preservation of historic architecture is encouraged when possible, and new development should complement the existing character of the corridor.
 - (b) The Urban Village (PID-UV) Subdistrict is a higher-density multifamily residential district with allowances for some office uses and artisan manufacturing, and ground floor uses such as restaurants, bars, retail, personal services, and galleries to support the residential population. Pedestrian plazas and parks are permitted within the district.
 - (c) The Civic Corridor (PID-CC) Subdistrict is an area containing medium-density, well-designed institutional buildings with significant public access. Civic and educational uses with student housing and quality open space and pedestrian plazas are encouraged.
 - (d) The Creative Edge (PID-CE) Subdistrict is intended to be a lower-density transition district that allows for artisan manufacturing, such as microbreweries or custom furniture making, office, and live-work spaces to support the innovation economy, with some allowance for low-density residential such as townhomes and two-family dwellings, especially on parcels abutting neighboring residential communities.
- (5) *Applicability.*
- (a) The provisions of this Section 19-3.37 shall apply to the PID and shall be in addition to other requirements of the City Zoning Ordinance. In the event of any direct conflict, the provisions of this section shall control.
 - (b) All new uses of land and structures, changed uses of land and structures, and significant facade changes shall comply with Section 19-3.37. Existing nonconforming uses may continue as provided in Chapter 19, Article V, of the City Zoning Ordinance, except as may be otherwise

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provided in this section.

- (c) This section uses the term "shall" when a standard is required and "should" when the standard is to be applied, unless the Planning Board finds strong justification for an alternative solution in an unusual and specific circumstance. The terms "encouraged" and "permitted" mean preferred but not required.
- (d) In order to encourage mixed uses, more than one principal building and more than one principal use shall be allowed on any lot or parcel in the PID District, subject to all approval criteria contained herein.

(6) *Site plan review.* Site plan review shall be required of all proposed development as outlined in Section 19-6.1.

As a subbullet, we believe the intent of Section 19-3.37(a) is to serve as an exception to the requirements listed in 19-6.1

- (a) Permitted uses designated by P* in Table 3.37-1 have been determined not to negatively impact parking, loading, drainage or utilities and therefore do not require site plan review by the Planning Board.

(7) *Permitted uses.* Permitted uses for each of the four subdistricts are included in Table 3.37-1 below.

- (a) The permitted uses listed in Table 3.37-1 are intended as a general reference, and therefore are not exhaustive. The listed uses represent general examples of desired and discouraged uses within the PID. The authority to interpret uses not explicitly listed is vested in the Planning Board or designee. Written justification of the interpretation must be filed with the formal decision letter and the following criteria contemplated:
 1. Unlisted uses permitted within a district should have equal or lesser intensity than other permitted uses within a specific subdistrict with regards to parking requirements, occupancy, traffic, and effects on the pedestrian environment.
 2. Unlisted uses permitted within a district shall not be inconsistent with explicitly permitted uses identified in Table 3.37-1.
- (b) *Accessory uses.* The following accessory uses and structures are permitted in the PID in connection with any permitted or lawfully existing use within each subdistrict:
 1. Accessory dwelling units are permitted within the PID only if constructed behind the front building line of the primary use.
 2. Off-street parking is permitted, provided that it is located behind the front building line of the primary use or in the interior of the lot and not visible from the street.
 3. Structures for housing pets, playhouses, garden houses, and greenhouses are permitted behind the front building line of the primary use.
 4. Structures for home occupations are permitted, provided the structure is located behind the front building line of the primary use and not visible from the street.
 5. Signs are permitted subject to regulations of Section 19-4.9 of the Poughkeepsie City Code.
 6. Solar collectors and micro wind turbines are permitted. Features may extend up to 15 feet above the maximum height limit, as long as the combined total coverage of the rooftop features do not exceed 25% of the roof area when typical features (such as elevator

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penthouses) are present. If rooftop features exceed the 25% roof coverage, solar collectors may only extend seven feet above maximum height limits.

7. Food trucks are permitted as an accessory use for a definitive period of time and subject to permitting requirements.
- (c) *Ground floor uses.* In order to promote a walkable urban environment with active storefronts along Poughkeepsie's primary commercial streets, all street-facing ground floor uses for buildings located in the PID-HC Subdistrict shall be limited to nonresidential uses.
- (d) *Parks and programming.* Permanent parks and outdoor recreational spaces are permitted as-of-right in all subdistricts, subject to design standards outlined in Section 19-3.37(12)(d), with the exception of the PID-HC Subdistrict. The exclusion of parkland from the Historic Core Subdistrict is intended to encourage a consistent streetwall and maximize the efficiency of land use within the commercial corridor.
- (e) *Prohibited uses.*
 1. Drive-in or drive-through facilities, whether standalone or used in connection with any other use, are prohibited.
 2. Surface parking as a principle use is prohibited within the PID.
 3. Front yard parking spaces are prohibited.

Table 3.37-1: Uses Permitted by Subdistrict

Use	PID-HC Historic Core	PID-UV Urban Village	PID-CC Civic Corridor	PID-CE Creative Edge
Adult Bookstores				
Agriculture (Urban)	P	P	P	P
Art Studio	P*	P	P	P
Auditorium		P	P	
Artisan Manufacturing (Includes Artisan Food and Beverage)	P*	P	P	P
Auto Related				
Bank or Credit Union	P*	P	P	P
Banquet Facility			P	P
Bar or Tavern	P*	P	P	P
Broadcast Studio	P*		P	P
Cafe or Coffee Shop	P*	P	P	P

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Table 3.37-1: Uses Permitted by Subdistrict

Use	PID-HC Historic Core	PID-UV Urban Village	PID-CC Civic Corridor	PID-CE Creative Edge
Cemetery				
Colleges, Universities, Vocational Schools	P	P	P	P
Community Facilities (Uses, Public)	P*	P	P	P
Convenience Store	P	P	P	P
Convenience Store with Gasoline Pumps				
Cultural Facility	P*	P	P	P
Day-Care Center	P		P	P
Drive-In or Drive-Through Establishment				
Dwelling, Multifamily	P*	P	P	P
Dwelling, Single-Family				
Dwelling, Two-Family				P
Home Occupation (subject to Section 19-4.1)	P*	P		P
Hotel	P*	P	P	
Live/Work Space	P*	P	P	P
Market for Arts, Crafts, or Food	P	P	P	P
Nightclub	P	P		
Offices, Business, Professional, or Medical	P*	P	P	P
Parking as Principal Use				
Parking Structure		P	P	

Table 3.37-1: Uses Permitted by Subdistrict

Use	PID-HC Historic Core	PID-UV Urban Village	PID-CC Civic Corridor	PID-CE Creative Edge
Parks, Pocket		P	P	P
Personal Service	P*	P	P	P
Recreational Facility	P*	P	P	P
Restaurant, Standard	P*	P	P	P
Retail (less than 10,000 square feet)	P*	P	P	P
Retail (more than 10,000 square feet)		P		
Sidewalk Cafe (subject to Section 15-14)	P*	P	P	
Student Housing	P	P	P	
Student Residence	P	P	P	P
Theater or Cabaret	P	P	P	P

(8) Dimensional Standards.

- (a) *Applicability.* All new construction and/or enlargement of existing structures shall be subject to the permitted building heights, lot coverage, and dimensional standards presented in Table 3.37-2 and the subsections below.
- (b) *Distance between principal buildings.* The minimum distance between principal buildings on a single parcel shall be 2/3 of the height of the taller principal building or 25 feet, whichever is greater.
- (c) *Building height.* Building height shall be measured in number of stories above the finish grade elevation fronting on a public street, park, or plaza, excluding exceptions listed in Section 19-4.14(2). Stories built below the grade of the street shall not be counted toward building height. Stories shall not exceed 14 feet in height, except for a ground-floor commercial, public, or cultural facility, which must be at least 14 feet in height and may be up to 20 feet in height.
- (d) *Front yard setbacks.* A larger maximum front-yard setback may be allowed in all subdistricts except the PID-HC, subject to Planning Board approval, if the area in front of a building has no parking spaces and is landscaped and used in a manner that enhances street life by such means as publicly accessible pocket parks, plazas, outdoor dining areas, or public art. Such outdoor space shall be landscaped with plant materials that are appropriate to the use and location and in a configuration that is approved by the Planning Board.
- (e) *Side yard setbacks.*
 1. A side yard setback shall not be required, but, if provided, shall not be less than six feet in

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width.

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- (f) *Upper-story setbacks.* Upper-story setbacks are utilized to reduce perceived building scale and height, ensuring a human-scaled urban form and sufficient access to light and air.
1. Upper-story setbacks on principal buildings adjacent to preexisting structures with wall openings shall be regulated by Section 19-3.23(4)(e).
 2. All stories above a building's base height shall be set back at a minimum of five feet from the front building line. A building's base height is measured as twice the width of the public right-of-way on which the building fronts.

Table 3.37-2: Dimensional Standards by Subdistrict

		PID-HC Historic Core	PID-UV Urban Village	PID-CC Civic Corridor	PID-CE Creative Edge
	Lot Area	—	—	—	—
	Main Building Height				
a	Minimum Height	2 stories	3 stories	3 stories	2 stories
b	Maximum Height	5 stories	6 stories	6 stories	5 stories
	Maximum Accessory Building Height				
	Housing	2 stories			
	Other	1 story			
c	Minimum Lot Coverage¹	75%	50%	50%	50%
d	Minimum Open Space²	—	15%	15%	15%
	Building Placement³				
e	Front Yard (minimum/maximum)	0 feet/0 feet	0 feet/6 feet	0 feet/15 feet	0 feet/15 feet
f	Side Yard, per side (minimum/maximum) ⁴	0 feet/0 feet	0 feet/10 feet	0 feet/—	0 feet/15 feet
g	Rear Yard (minimum)	0 feet	8 feet	8 feet	15 feet

Table 3.37-2: Dimensional Standards by Subdistrict

		PID-HC Historic Core	PID-UV Urban Village	PID-CC Civic Corridor	PID-CE Creative Edge
h	Frontage Occupancy (minimum/maximum)	100%/—	80%/100%	80%/100%	70%/100%
	Parking Setbacks (minimum)	40 feet			

NOTES:

¹ Minimum lot coverage is calculated as a percentage of the total lot area.

² Minimum open space is calculated as a percentage of the total lot area. Minimum open space requirements are waived for lots under 5,000 square feet. Green roofs may be counted towards open space requirements.

³ Recessed entryways as permitted within frontage types [Section 19-3.37(10)(b)] are not considered setbacks and do not detract from the percentage of frontage occupancy.

⁴ A side yard shall not be required, but, if provided shall not be less than six feet in width.

(9) Special Dimensional Standards.

- (a) *Bonus heights.* In order to encourage superior design, sustainable land use, and inclusive development, an incentive of additional stories as described below is offered to applicants of housing developments in the PID-UV and PID-CC Subdistricts if their buildings incorporate any one of the following features. Maximum cumulative bonuses shall not exceed three stories.

1. *Affordable housing.*

- (i) Three additional stories may be added to the maximum permitted building height for developments that include 20% or more of the total units as affordable housing. Fifty percent of the affordable units shall be priced to be affordable at 60% to 80% of Dutchess County AMI, and 50% of the affordable units shall be priced to be affordable at 80% to 100% of Dutchess County AMI.
 - (ii) Two additional stories may be added to the maximum permitted building height for developments that include more than 10% of units as affordable housing with 50% of the affordable units priced to be affordable at 60% to 80% of Dutchess County AMI and 50% of the affordable units priced to be affordable at 80% to 100% of Dutchess County AMI.
2. *Green building practices.* One additional story may be added to the maximum building height for developments that acquire Gold or Platinum certification through LEED Building and/or Neighborhood Development Rating System. If not LEED certified, the applicant is required to demonstrate, through submission of plans, details and certifications by accredited green building/architectural professionals, that the proposed site and building techniques are of similar or greater value in terms of water use, energy efficiency,

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stormwater management, and carbon emissions, as LEED Gold or Platinum certification. The applicant and the applicant's LEED-certified professional shall work in concert with City staff to identify the LEED rating system to be used to guide the development and advise the Planning Board accordingly.

- (b) *Through lots.* On a through lot in any subdistrict, front yard setbacks and frontage occupancy requirements as mandated in Table 3.37-2 shall be met on both street frontages.
- (c) *Corner lots.* On a corner lot in any subdistrict, front yard setbacks and frontage occupancy requirements as mandated in Table 3.37-2 shall be met on each street. A corner lot in the PID-HC, PID-UV, and PID-CC Subdistricts shall have two front yards and two side yards. In the PID-CE Subdistrict, one rear yard shall be provided in each corner lot, and the owner shall designate the rear yard on his or her application for a permit.

(10) Building standards.

- (a) *Transparency.* Transparency, which is achieved through the arrangement, proportioning, and design of windows, is important in creating active building facades that are visually engaging and connect a building's interior activities with the public realm. Window patterns within the PID shall contribute to superior architectural design and complement neighborhood character in accordance with the transparency requirements presented below.
1. Mirrored, overly reflective, or darkly tinted glass shall not be permitted.
2. Security grills are prohibited within the PID.
3. To maintain transparency and activation, windows on ground floors may not be more than 30% obstructed by posters, signs, paper, blinds, curtains, or other materials.

Table 3.37-3: Transparency Requirements by Subdistrict

		PID-HC Historic Core	PID-UV Urban Village	PID-CC Civic Corridor	PID-CE Creative Edge
a	Ground floor transparency, front facade (minimum)	70%	50%	70%	40%
b	Ground floor transparency, corner building side facade (minimum)	40%	25%	40%	25%
c	Upper floor transparency, front and corner building side facades (minimum)	25%	25%	25%	25%

Table 3.37-3: Transparency Requirements by Subdistrict

		PID-HC Historic Core	PID-UV Urban Village	PID-CC Civic Corridor	PID-CE Creative Edge
d	Ground floor window sill height, front and corner building side facades (minimum/maximum)	0.5 foot/2.5 feet	—	0.5 foot/2.5 feet	—

(b) Frontages. (See Figure 3.37-2)

1. *Forecourt*. A frontage type where part of the facade is set back from the front property line and framed by three or more sides of the building for civic use. The space allows for gardens, gathering space, outdoor seating, or similar civic space. Landscaping is encouraged. Forecourts are a semipublic space that should be inviting and accessible from the adjacent sidewalk.
 - (i) Permitted in PID-UV, PID-CC, PID-CE.
2. *Shopfront A*. A frontage type that is lined up directly on the front property line. This type of frontage is located on the ground floor and typically has a larger height than the upper stories with a high transparency level. Shopfront A frontage is conventional for retail use with a prominent entrance and large windows facing the sidewalk.
 - (i) Permitted in PID-HC, PID-UV, PID-CC, PID-CE.
3. *Shopfront B*. A frontage type where the front facade is set back. This type of frontage is located on the ground floor and typically has a larger height than the upper stories with a high transparency level. Shopfront B frontage is conventional for restaurant use with a main entrance facing the sidewalk. Use of the setback space, such as outdoor seating, is encouraged but not required.
 - (i) Permitted in PID-UV, PID-CC, PID-CE.
4. *Shopfront C*. A frontage type that is lined up directly on the front property line. This type of frontage is located on the ground floor and typically has a larger height than the upper stories with a high transparency level. Shopfront C frontage is conventional for retail or restaurant use. The main entrance must be facing the sidewalk but allows for it to recede into the facade and setback from the front property line.
 - (i) Permitted in PID-HC, PID-UV, PID-CC, PID-CE.
5. *Stoop*. A frontage type that allows for an elevated first floor. The stairs of the stoop are lined up with the front property line and engage the sidewalk, yet provide privacy for the building. A sunken light well, a fence or landscaped area in front of the facade may be used to define the front property line but is not required.
 - (i) Permitted in PID-UV, PID-CE.
6. *Plaza*. A frontage type where part of the facade, if not all, is set back and framed by at

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most two sides of the building. The space allows for landscaping, gathering space, outdoor seating or other civic spaces. Plazas are a public space that must be inviting and accessible from the adjacent sidewalk. This frontage must also be available to the public for the majority of the day.

(i) Permitted in PID-UV, PID-CC, PID-CE.

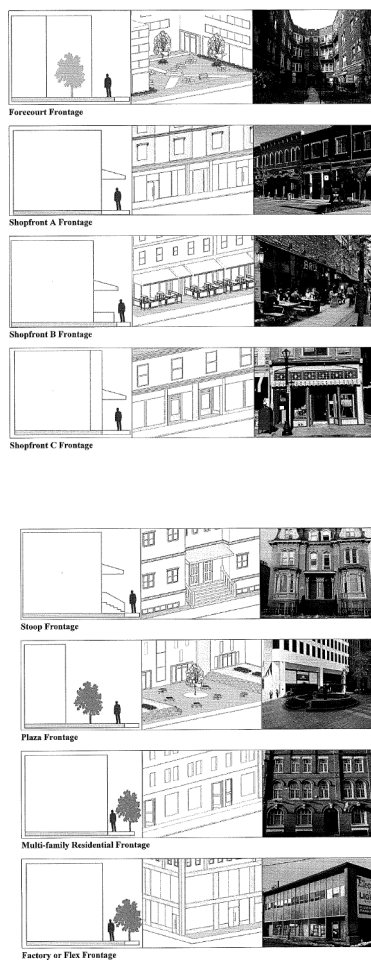
7. *Multifamily residential.* A frontage type that is lined directly on or close to the front property line and has a prominent entrance facing the sidewalk. This frontage type allows for a high percentage of transparency on the ground floor level for residential uses, but does not require as much transparency as a shopfront frontage.

(i) Permitted in PID-UV, PID-CC, PID-CE.

8. *Factory or flex.* A frontage type that applies to existing industrial buildings. Intended for adaptive re-use and allows for design changes but is not necessary. This frontage style can resemble a shopfront facade if possible but does not require as much transparency on the ground level.

(i) Permitted in PID-CE.

Figure 3.37.2. Building Frontage Types - See Section 19.3.37(10)(b)1 through 8



(c) Design and architecture.

1. *Entrance orientation.* The main entrance for buildings in all subdistricts shall be located on the front facade. Buildings situated on corner lots are only required to have one main entrance, and an entrance may be located on the corner of the building. The maximum distance between ground floor entrances shall be 50 feet.
2. *Shopfront entrance orientation.* The principal pedestrian entrances for shopfront buildings within the PID-HC Subdistrict shall be directly connected to the sidewalk. Principal entrances to shopfronts shall be highlighted through the use of architectural features such as roofs, recessions into the facade or other details that express the importance of the entrance.
3. *Historic rehabilitation.* New construction and rehabilitation in the PID-HC Subdistrict shall reflect the traditional architecture of Main Street in building and roof forms, window proportions, materials, colors and details.
4. *Blank walls.* Architectural features and windows shall be continued on all sides of the building that are clearly visible from a street or public parking area to avoid visible blank walls.
5. *Facade articulation.* Buildings of 40 feet or more in width along a lot frontage shall be articulated, reducing their apparent size and contributing to a human-scale development. The mass of these buildings shall be broken up using a variety of architectural details such as divisions or breaks in materials, window bays, separate entrances and entry treatments, variation in roof lines, awnings, and positive and recessed massing. Recessed massing shall not be more than three feet behind the building line.
6. *Awnings.* Glass, metal, canvas, and canvas-like awnings are encouraged along street frontages, and may encroach up to six feet into the front setback. The base of the awning shall be a minimum of seven feet and maximum of nine feet above grade.
7. *Roofs.* Buildings shall have sloped, mansard, flat, curved or a combination of roofs with articulated parapets and cornices. Parapets shall be a minimum of 42 inches high or as may be otherwise required to conceal mechanical equipment to the satisfaction of the Planning Board. Towers are also allowed at the discretion of the Planning Board.
8. *Screening.* All mechanical equipment, whether roof- or ground-mounted, shall be completely screened from adjacent properties and streets in a manner that is compatible with the architectural treatment of the principal building.

(11) Streetscape standards.

- (a) *On-street parking.* On-street parking is encouraged, whenever possible, to provide convenient public parking for nearby parkland and commercial uses, to reduce the need for off-street surface lots and structures, to calm vehicle speeds, and to protect pedestrians from vehicular traffic.
- (b) *Activation and art.* Art installations, pocket parks, benches, and sitting spaces, and seasonal dining areas with movable tables, chairs, umbrellas, and low planters or partitions are encouraged on or adjacent to the sidewalk and may be approved by the Planning Board if there is sufficient unobstructed space for pedestrian through traffic and all requirements of Section 15-14, entitled "Sidewalk cafes," are met.

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(c) *Fences, walls and hedges.*

1. Fences, hedges and walls and all supporting structures must be entirely on the property of the party erecting the fence and shall not encroach upon a public right-of-way or adjacent property.
2. Fences, hedges and walls are not applicable towards a development's minimum frontage occupancy requirements.
3. All fences and walls shall be installed so that the finished side shall face outward; all bracing shall be on the inside of the fence.
4. Retaining walls should be faced with masonry or other decorative screening, textures, design, or landscaping to minimize the blank appearance of walls and ensure compatibility with existing structures.
5. Fence and wall design should be compatible with the character of surrounding development.
6. Heights.
 - (i) The height of all fences, walls and hedges shall be measured from the finished grade to the top of the fence/wall/hedge.
 - (ii) Within the front yard, a fence or wall shall not exceed a maximum of four feet in height. Unless otherwise stated or approved, a fence or wall shall not exceed a maximum of eight feet in height.
 - (iii) Fences, walls and hedges should not be located within five feet of a driveway or a street intersection.
 - (iv) A maximum of 10 feet in height shall be allowed to enclose a private or public tennis court, basketball court, or sports court, provided that the fence is not more than 60% opaque, and provided the fence is set back at least 10 feet from the property line.
7. All fences and walls shall be maintained and, when necessary, repaired or replaced.

(12) Site standards.

- (a) *Front yard landscaping.* Any front setback areas not devoted to structures, driveways, walkways, and sidewalks shall be appropriately planted or landscaped. Landscaping shall include a combination of grass, shrubs, street trees, shade trees, and ornamental plantings in such manner as to minimize erosion and stormwater runoff and to maintain or improve the aesthetics of such development.
 1. In landscaped areas, not less than 25% shall be planted with growth other than grass.
 2. Native and less water-intensive species are encouraged.
- (b) *ADA requirements.* Sites and buildings shall meet ADA requirements and shall apply universal design principles whenever possible to ensure unrestricted access to those with mobility impairments.
- (c) *Large lot development standards.* This subsection establishes the vision for the redevelopment of larger surface parking lots within the Poughkeepsie Innovation District. The intent of this

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subsection is to create a walkable, human-scaled urban fabric through design standards to guide the development of larger parcels. While some parcels may be suitable for larger single-building developments such as a supermarket, many larger parcels present the opportunity for multiple buildings to be developed on a single site, connected with a network of pedestrian thoroughways, public plazas, and potentially new streets. To promote the optimum use of larger parcels within the PID, applicants may be required to prepare a conceptual master plan. (NOTE: Conceptual master plans may be developed at various levels of detail. Generally, the more specific the master plan, the less review that will be required as the future permitted uses are built. In reviewing and approving a conceptual master plan, the Planning Board shall indicate the extent to which the plan will be binding upon future decisions.) The following development standards shall be used by the Planning Board in the course of site plan review and/or conceptual master plan review.

1. *Applicability.* Applicants for development on sites larger than one acre shall consider the feasibility of including the following site design features.
 - (i) *Multiple structures.* In order to encourage mixed uses, more than one principal building and more than one principal use shall be allowed on large lots in the PID, subject to all approval criteria contained herein.
 - (ii) *Pedestrian circulation.* Pedestrian alleys, thoroughways, and shared streets should be considered in order to break up larger blocks and facilitate pedestrian access and safety.
 - (iii) *Building orientation.* For sites with multiple buildings proposed, building entrances must be oriented towards streets and public spaces.
 - (iv) *Spacing of buildings.* For sites with multiple buildings proposed, each building must be spaced a minimum of eight feet from all other buildings unless a party wall is shared.
 - (v) *Focal points.* Where feasible, site design should provide for focal points, such as public outdoor space, parks, plazas, paths, and architectural elements of interest.
 - (vi) *Common open space.* Common open space totaling not less than 15% of the total lot size shall be provided in perpetuity. Parking areas, roads, buildings, other impervious surfaces, and their improvements shall not be included in the calculation to determine the amount of available open space. However, the entire tract, apart from these exceptions, shall be considered in determining the required amount of open space. The following facilities or improvements may be located on open space land: water systems, stormwater systems, bike paths, walking trails, and other common community facilities that do not involve buildings, such as tennis courts, swimming pools, and playgrounds.
- (d) *Parks and civic space design standards.* Parks and civic space include public open space and privately owned public spaces in the PID such as forecourts, greens, squares, plazas, pocket parks, and playgrounds. The standards are intended to encourage lively, pedestrian-friendly and attractive civic spaces. The following programming and design standards shall be evaluated by the Planning Board in the course of site plan review.
 1. *Placement and access.* Civic spaces shall be visually and physically accessible, providing pedestrian access from a public sidewalk or a private walkway open to the public.

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2. *Landscaping.* Grass, shade trees, and native and ornamental plantings are encouraged.
3. *Amenities.* Civic spaces may accommodate active or passive recreational activities. However, generally encouraged amenities include comfortable seating for small groups and individuals, water features, public art, sufficient lighting, and play equipment.
4. *Maintenance.* Privately owned civic space shall be maintained by its owner or a private entity such as a property owners' association, nonprofit organization, or business improvement district. At the time of site plan approval, a general statement as to how common open space is to be maintained may be required.

(13) Parking standards.

- (a) *Off-street parking requirements.* Off-street parking shall comply with the following standards as depicted in Table 3.37-4. The Planning Board may use Section 19-4.3 of this chapter as guidance on standards or requirements that are not addressed herein. In the event of a conflict, Section 19-3.37 shall control.

Table 3.37-4. Off-Street Parking Requirements by Subdistrict				
	PID-HC Historic Core	PID-UV Urban Village	PID-CC Civic Corridor	PID-CE Creative Edge
Multifamily Residential Dwelling	0	0.5 space per unit plus 1 visitor space per 10 units	0.5 space per unit plus 1 visitor space per 10 units	0.5 space per unit plus 1 visitor space per 10 units
Student Housing and Student Residence	—	1 per bedroom with potential to waive if within 1,320 feet of public parking facility	1 per bedroom with potential to waive if within 1,320 feet of public parking facility	—
Two-Family and Townhouse Residential	—	—	—	1.0 space per dwelling unit
General Retail	0	0	1 space per 500 square feet of GFA	1 space per 500 square feet of GFA
Personal Service Business	0	0	1 space per 350 square feet of GFA	1 space per 350 square feet of GFA
Restaurant, Cafe, or Bar	0	1 space per 250 square feet of GFA	1 space per 250 square feet of GFA	1 space per 250 square feet of GFA
Office and Nonretail Commercial	0	0	1 space per 400 square feet of GFA	1 space per 400 square feet of GFA

Table 3.37-4. Off-Street Parking Requirements by Subdistrict

	PID-HC Historic Core	PID-UV Urban Village	PID-CC Civic Corridor	PID-CE Creative Edge
Other uses	As determined to be appropriate by the Planning Board during site plan review			

NOTES:

*Gross Floor Area (GFA)

**Further enumeration of the individual uses categorized within each use group can be found Section 19-3.37(14), Definition of terms, under the definition of "parking use groups."

(b) *Parking placement.*

1. All parking may be located adjacent to a building but not between the building and the front lot line.
2. All parking spaces shall be set back at least 40 feet from the front property line and screened from view of the street by landscaping as dictated in Section 19-3.37(13)(f) below.

(c) *Compact car requirements.*

1. Within the PID, up to 33% of the required number of parking spaces may use dimensions for compact cars, provided that such parking spaces are clearly designated as compact car spaces.
2. Within the PID, the dimensions of compact car parking spaces shall be seven feet nine inches by 18 feet.

(d) *Maximum parking permitted.* Surface parking spaces shall not exceed 115% of the minimums required in Table 3.37-4.(e) *Fee in lieu of off-street parking.* An optional waiver with a fee in lieu of parking provides applicants with an alternative to restrictive on-site parking requirements and can encourage better and more efficient site design.

1. Where an applicant does not meet the required number of off-street parking spaces for development within the Poughkeepsie Innovation District, the applicant may seek a waiver from the Planning Board.
2. In determining whether or not to issue a parking waiver, the Planning Board shall consider: 1) the constraints prohibiting the applicant from providing sufficient parking; 2) the proximity of municipal parking facilities; and 3) the availability of sufficient parking in identified municipal parking facilities.
3. Prior to the granting of a parking waiver, the Planning Board may require the submission of studies and plans by the applicant demonstrating that practical considerations preclude the provision of such parking spaces on site.
4. If the Planning Board issues a waiver pursuant to this section, the applicant shall pay a one-time fee in lieu to the Planning Department according to a fee schedule established in

Table 3.37-5 below.

5. Fees imposed pursuant to this section shall be paid prior to final site plan or subdivision approval and shall be set in a fund to be used exclusively for capital improvements to municipal public parking facilities or for the acquisition of property for municipal public parking facilities. All expenditures from this fund shall be made at the recommendation of the Commissioner of Public Works and consent of the Common Council.

<i>Table 3.37-5. Parking Fee Schedule</i>	
Number of Parking Spaces Waived	Fee per Waived Parking Space*
1 to 6	\$500
7 to 10	\$1,000
11 to 20	\$3,000
More than 20	\$5,000

NOTE:

**This fee per space shall be applied to the total number of spaces waived for a particular project. For example, if 22 spaces are to be waived at \$5,000 per space, the fee in lieu of parking would be \$110,000.*

- (f) *Shared parking.* In any PID subdistrict, the Planning Board may, in its sole discretion, approve the joint use of a parking facility and a reduction in the parking requirement by up to 40% for two or more principal uses or buildings either on the same lot or within 600 feet of each other, where it is clearly demonstrated that the reduction in spaces and shared use of the parking facility will substantially meet the intent of the requirements for both lots or uses, due to variation in the time of peak demand and the lack of reserved parking limiting effective shared use. The Planning Board is under no obligation to approve shared parking unless it finds that the shared parking scheme is in the best interest and welfare of the City and its residents. In such cases, off-street parking requirements of a given use may be met with off-site, shared off-street parking or on-site parking shared by more than one tenant. Such joint parking facilities are governed by the following:
 1. *Townhouses and two-family residential.* All parking shall be provided on site.
 2. *All other uses.* Off-street parking spaces shall be located on the same lot as the main building or within 600 feet of the use, as measured along the nearest pedestrian accessway.
 3. *Shared parking study.* Applicants shall submit a shared parking analysis to the Planning Board that clearly demonstrates the feasibility of shared parking. Such study shall address, at a minimum, the spatial relationship between the sites and/or tenants, the size and type of proposed development and resulting parking demand, including peak demand periods, the combined parking demand of uses that will be sharing the parking area, and the anticipated peak parking and traffic loads for all uses sharing the parking spaces. Based on the study, the Planning Board may approve or disallow the proposed shared parking plan.
 4. *Shared parking agreement.* A shared parking plan will be enforced through written agreement among all owners of record. The agreement shall incorporate covenants and/or a lease for a minimum term of two years and shall be marked on the final approved site

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plan. If a use subject to a shared parking agreement is enlarged or changed, the Planning Board shall have the discretion to require full compliance for each separate use upon finding that conditions justifying joint use no longer exist.

(g) *Parking area landscaping.*

1. *Applicability.* Surface parking facilities are discouraged within the PID. However, if provided, interior parking lot landscaping is required for all off-street parking areas, regardless of size. The requirements herein apply to all development, except two-family homes and townhouses.
2. *Requirements.*
 - (i) *Placement and screening.* All parking spaces shall be set back at least 40 feet from the front property line and screened from view of the street by landscaping at least three feet in height, opaque fencing with the finished side facing the street, or other means as approved by the Planning Board. This planting and screening requirement may be waived along property lines abutting other off-street parking lots.
 - (ii) *Terminal ends of freestanding rows.* Landscape islands shall be installed at the terminal ends of any freestanding rows or bays of parking. Freestanding rows or bays of parking are those that are not abutting the parking lot perimeter and can have a single or double row of parking.
 - (iii) *Landscape islands.* A landscape island shall be provided every ninth parking space for rows of parking that are more than eight spaces in length. There shall be no more than eight continuous parking spaces in a row without a landscape island. In all parking areas with more than 12 spaces, landscaped areas totaling 10% of the paved parking lot area shall be provided via islands wholly contained within the paved area.
 - (iv) *Trees in landscaped islands.* Each parking island shall be a minimum of nine feet by 18 feet in size and shall be planted with at least one shade tree with a minimum mature height of at least 60 feet selected from a list of preferred tree species as approved by the Shade Tree Commission pursuant to Chapter 17 1/2, Trees, of the City Code. The use of a single tree species throughout the parking area is not encouraged.
 - (v) *Soil.* Trees planted in paved areas/landscaped islands shall be provided with adequate soil volume to permit proper watering. Adequate soil volume can vary in size, according to selected tree species, but in no instance shall the surface area be less than 25 square feet. An additional five linear feet, at a depth of three feet, of structural soil, which prevents soil compaction, shall be used underneath pavement that surrounds said landscape islands.
 - (vi) *Lighting.* Off-street parking areas shall be adequately illuminated for convenience and safety.
 - (vii) *Curbs.* A variety of curb types may be utilized for interior parking lot landscaped areas. Permitted types include ribbon, mountable, and slotted curbs.
 - (viii) *Snow accommodation in parking areas.*
 - a. Parking lots should provide open lawn areas to accommodate snow storage. Any

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landscaping located in snow storage areas should be selected to withstand harsh snow storage conditions.

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- b. All parking lot landscaping shall be salt tolerant.

(h) *Required bicycle parking.*

1. Bicycle parking shall comply with the following standards as depicted in Table 3.37-6.

<i>Table 3.37-6. Bicycle Parking Requirements</i>		
	Long-term Bicycle Parking Requirements	Short-term Bicycle Parking Requirements
All Residential Uses	0.5 space per bedroom. Minimum requirement is 2 spaces.	0.05 space per bedroom. Minimum requirement is 2 spaces.
Retail	1 space for each 12,000 square feet of floor area. Minimum requirement is 2 spaces.	1 space for each 5,000 square feet of floor area. Minimum requirement is 2 spaces.
Office and Nonretail Commercial	1 space for each 10,000 square feet of floor area. Minimum requirement is 2 spaces.	1 space for each 20,000 square feet of floor area. Minimum requirement is 2 spaces.
Other uses	As determined to be appropriate by the Planning Board during site plan review	

2. Bicycle parking shall be located and clearly designated in a safe and convenient location, at least as convenient as the majority of auto spaces provided.
3. Facilities shall be designed to accommodate U-shaped locking devices and shall support bicycles in a stable position without damage to wheels, frame or other components and shall be securely anchored and of sufficient strength to resist vandalism and theft.

(14) *Definition of terms.* The following definitions apply to Section 19-3.37 of the Poughkeepsie City Code. Terms not defined in this subsection shall be defined as provided in Section 19-2.2:

ACCESSORY DWELLING UNIT (ADU) — A secondary house or apartment with its own kitchen, living area and separate entrance that shares the building lot of a larger, primary house. The ADU may be attached to an existing house or garage, or it may be built as a standalone unit.

AFFORDABLE HOUSING — Housing for income-eligible residents as determined by Section 19-3.37(9)(a)1 herein and/or grant, subsidy or financing sources for a housing project.

AGRICULTURE, URBAN — Urban agriculture includes production (beyond that which is strictly for home consumption or educational purposes), distribution and marketing of food and other products within areas not dominated by other agricultural activities. Examples include community, school, backyard, and rooftop gardens, innovative food-production methods that maximize production in a small area, community-supported agriculture based in urban areas, and family farms located in metropolitan greenbelts.

ARTISAN FOOD AND BEVERAGE — Small-scale production or preparation of food made on site

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with limited to no automated processes involved and may include direct sales to or consumption by consumers. This definition includes uses such as small-batch bakeries, craft breweries and cideries as regulated by the State of New York, artisan distilleries as regulated by the State of New York, small-batch candy shops, and local cheesemakers. This use may or may not have outdoor seating or patios as an accessory use, depending on the zoning subdistrict in which it is located.

ARTISAN MANUFACTURING — Application, teaching, making, or fabrication of crafts or products by an artist, artisan or craftsperson either by hand or with minimal automation and may include direct sales to consumers. This definition includes uses that employ activities and processes such as small-scale fabrication, welding, and coating, that are typically not permitted in nonindustrial zoning districts. This definition shall not include artisan food and beverage preparation or sales. Artisan manufacturing excludes heavy industrial processing or distribution of sand, gravel, clay, turf, soil, rock, stone, metals, petroleum and petroleum products and similar raw materials.

AUTO-RELATED — Auto-related uses include automobile sales, repair, service, gasoline stations, junkyards, wrecking, and wash facilities.

BASE HEIGHT, BUILDING — A building's base height is defined as two times the width of the public right-of-way on which the building fronts.

COMMUNITY FACILITY — A building used and occupied by a not-for-profit religious or membership corporation providing religious, charitable, recreational, entertainment, guidance, counseling or other similar amenities and facilities on a nonprofit basis similar to organizations commonly described as YMs, YWs, Boys & Girls Clubs, scout groups and other fraternal membership groups.

FRONT BUILDING LINE — The plane of a building that borders the public right-of-way, parallel to or coterminous with the front property line.

FRONT PROPERTY LINE — The boundary separating the lot from the public right-of-way.

FRONTAGE OCCUPANCY — The percentage of the lot width that must be occupied by either a front building facade or structures that screen parking, located within the area between the minimum and maximum front setback.

GREEN ROOF — A vegetated roof design that is explicitly designed to absorb rainfall or snowmelt, typically to manage stormwater, mitigate the heat island effect, provide a habitat for urban wildlife, or offer leisure and recreational space for building occupants.

HOME OCCUPATION — An occupation or business activity which results in a product or service for financial gain and is conducted in whole or part in the dwelling unit or accessory building and is clearly an accessory or incidental use and subordinate to the residential use of the dwelling unit.

LIVE/WORK SPACE — Dwelling units that include space for both commercial and residential functions. The commercial function may be anywhere in the unit and is intended to be occupied by a business operator who lives in the same structure that contains the commercial activity or industry.

NIGHTCLUB — An establishment operated as a place of entertainment, characterized by any or all of the following as a principal use: 1) live, recorded, or televised entertainment, including but not limited to performance by magicians, musicians or comedians; 2) dancing; and/or 3) the dispensing of alcoholic beverages for consumption on the premises.

PARK, POCKET — A small park, less than 2,500 square feet in area and accessible to the general public, that is located in close proximity to a public sidewalk, and provides green space, landscaping, benches and other pedestrian amenities and which may include art.

PARKING USE GROUPS —

MULTIFAMILY RESIDENTIAL — Multifamily dwelling units and live/work space in a multifamily residential building.

GENERAL RETAIL — Retail less than 10,000 square feet, retail greater than 10,000 square feet, convenience store.

PERSONAL SERVICE BUSINESS — Bank, credit union, hair salon, nail salon.

RESTAURANT, CAFE, OR BAR — Bar, tavern, cafe, coffee shop, nightclub, standard restaurant.

OFFICE AND NONRETAIL COMMERCIAL — Art studio, broadcast studio, home occupation, offices (business, professional or medical).

OTHER, REQUIREMENTS TO BE DETERMINED ON A CASE-BY-CASE BASIS — Theater, cabaret, auditorium, banquet facility, cultural facilities, recreational facility, and markets for arts, crafts, or food, colleges, universities, vocational schools, day-care centers.

PUBLIC RIGHT-OF-WAY — The public right-of-way includes the entire street width, as measured from front property line to front property line, inclusive of sidewalks.

SECURITY GRILL — Solid metal or open-grated metal grills designed to be pulled down, folded over, or attached in front of or behind the entrance door or doors, vestibule, window display, storefront, or any other openings that face the public streets and sidewalks to prevent entry to the premises. A solid metal grill shall not be defined to include solid metal garage doors that face public streets and sidewalks and act as a primary entrance to a building rather than a security device.

SHARED PARKING — A land use development strategy that optimizes parking capacity by allowing complementary land uses to share spaces rather than producing separate spaces for separate uses.

STREETWALL — One of the long side boundaries of a street, formed by front building facades, hedges, etc. The streetwall is typically parallel to or coterminous with the front property line. The streetwall is instrumental in defining the district's public space.

STUDENT HOUSING — A building associated with a college, university, or educational facility containing living quarters for students.

THEATER — A building or space, or portion thereof, used for cultural education and experiences, motion pictures, live productions, or other entertainment, including, but not limited to, museums, art galleries, aquariums, amphitheaters, theaters, cultural entertainment facilities and performance halls.

USABLE OPEN SPACE — An unenclosed portion of the ground of a lot which is not devoted to driveways or parking spaces.

Hotel is not listed as a use in the "other uses" parking group

Other uses not categorized w/ in any parking use group:
-Artisan
- manufacturing
- Community facility

CASE #:

FEE: \$350.00
CODE: A2112
ID#

APPLICATION TO THE ZONING BOARD OF APPEALS
CITY OF POUGHKEEPSIE, NEW YORK

REQUEST FOR INTERPRETATION
(TYPE, OR PRINT IN DARK INK)

I. PROPERTY: 375-379 Main Street

ZONING DISTRICT: PID-HC (Historic Core)

II. PROPERTY OWNERSHIP

Name of Owner: 375 Main LLC

Address: 147 Union Street

Poughkeepsie, NY 12601

III. APPLICANT INFORMATION

Name of Applicant: Chai Developers LLC / represented by Natalie Quinn, KARC Consulting

Address: 147 Union Street

Poughkeepsie, NY 12601

Phone#: 845.874.7166 917.696.4402

Email: natalie@karcpc.com berry@chaibuilders.com

(If the applicant is not the owner, proof that the owner consents to the application must be provided.) Bernard Kohn is primary owner of 375 Main LLC (property owner) and Chai Developers LLC (applicant)

IV. SUBJECT OF APPEAL

Pursuant to the provisions of Section 19-8.4 of the Zoning Ordinance, this application, relative to the above-referenced property, constitutes an appeal from the decision of the Zoning Administrator, or other City of Poughkeepsie Agent (Name and Title of agent: Joseph D. O'Brien, Deputy Zoning Administrator)

A copy of this decision, dated June 23, 2023, must be attached.

V. APPEAL REQUEST

This appeal takes the form of a request for (check one):

- 1) ☒ The meaning of a portion of the text of the Zoning Ordinance, or any condition or requirements specified or made under the provisions of said Ordinance, and whether or not the appellant has complied therewith; or,
- 2) ☐ The exact location of a district boundary shown on the zoning map; or,
- 3) ☐ Approval for a change from one legal nonconforming use to another nonconforming use.

VI. RATIONALE FOR REQUEST (Attach additional sheets as necessary):

Please see attached cover letter and other attachments for rationale of request.

VII. LIST OF REQUIRED ATTACHMENTS

1. Electronic version of all submission materials
2. Site or plot plan (8) copies
3. Other attachments deemed pertinent by applicant (please list):
3. Cover Letter, dated August 3, 2023
4. Original Zoning Review Request submission (form and supplemental narrative)
5. ZEO Determination, dated June 23, 2023
6. Notated PID Zoning Code with relevant sections highlighted

VIII. SIGNATURE AND VERIFICATION

Please be advised that no application can be deemed complete unless signed below.

THE APPLICANT HEREBY STATES THAT ALL INFORMATION GIVEN ABOVE IS ACCURATE AS OF THE DATE OF APPLICATION. THE APPLICANT, IF NOT THE OWNER, HEREBY SWEARS THAT THIS APPLICATION IS MADE WITH THE INFORMED KNOWLEDGE AND CONSENT OF THE OWNER.

Natalie Quinn

Signature of Applicant

DATE: August 4, 2023

August 4, 2023

Ms. Lori Garcia
ZBA Board Secretary
City of Poughkeepsie
1 Civic Center Plaza
Poughkeepsie, NY 12601

Mr. Scott Parker
ZBA Chairman
City of Poughkeepsie
1 Civic Center Plaza
Poughkeepsie, NY 12601

**RE: Review Process for Hotel Uses in PID-HC (375-379 Main Street)
 Interpretation Request**

Dear Ms. Garcia & Mr. Parker,

Enclosed, please find eight (8) copies of the following materials in support of an Interpretation request:

1. Zoning Interpretation Application, dated August 4, 2023
2. Cover Letter with Rational for Request, dated August 4, 2023
3. Parcel map and zoning map
4. Original Zoning Review Request Form, submitted June 12, 2023
5. Zoning Determination, dated June 23, 2023
6. Notated PID Zoning Code

A zoning review request was filed on June 12, 2023 to clarify the approval process for adaptive reuse of an existing building at 375-379 Main Street (formerly office furniture retail and storage) into a boutique hotel. Currently, no additions or expansions to the building are being proposed. A zoning determination from the City of Poughkeepsie was received on June 23, 2023, indicating that site plan approval by the Planning Board would be required for the proposed change of use. A “previous determination” was cited as support for this current determination. An official letter for the previous determination was not provided, but a Planning Board recommendation sheet referencing the determination was provided and is included within this submission’s attachments.

Below, please find the applicant's rationale for filing a request for interpretation from the Zoning Board of Appeals:

Within the PID Zoning Code, Table 3.37-1 designates Hotels as a "P*" use within the PID-HC subdistrict. The code states in Section 19-3.37(6)(a) "Permitted uses designated by P* in Table 3.37-1 have been determined not to negatively impact parking, loading, drainage or utilities and therefore do not require site plan review by the Planning Board." This section of the code clearly conveys an intent for a streamlined approval process for designated uses, as well as a determination that changes to parking, loading, drainage, and utilities have been previously considered and should not be used a justification to divert the intention of a streamlined approval process.

The above referenced table and Section 19-3.37(6)(a) convey the intent of the zoning district regulations. The intent of streamlined approval process is further supported by the overarching goals of the Poughkeepsie Innovation District (PID) code, as enumerated in Section 19-3.37(1). Subbullet "f" of this section states the following as a key component of the policy:

Recommendations for efficient governance and implementation through the fostering of partnerships, a streamlined development process, and marketing of the Poughkeepsie Innovation District.

While an updated zoning code can in and of itself be one means of streamlining the development approval process by providing modern regulations that clearly communicate the development goals of a community, the implementation of "permitted-by-right" measures is another important tool for achieving this goal. Review of the PID code shows that identification of uses permitted-by-right, as indicated by P* within the permitted use table, is one, if not the only, measure included within the PID code that could substantially streamline the approval process for certain uses within the PID-HC subdistrict.

Furthermore, the Zoning Determination Letter dated June 23, 2023 states that despite the P* classification of hotels as a permitted use, review by the Planning Board will still be required due to the fact that "Table 3.37-4 classifies hotels as "Other Uses" and therefore parking shall be determined by the Planning Board during Site Plan Review." Our rationale is further based on the fact that the above statement is incorrect. A note beneath Table 3.37-4 indicates that "***Further enumeration of the individual uses categorized within each use group can be found Section 19-3.37(14), Definition of terms, under the definition of "parking use groups."" Within the definitions section of the code, the following uses are identified as "other uses," a list which expressly does not include "hotel":

OTHER, REQUIREMENTS TO BE DETERMINED ON A CASE-BY-CASE BASIS — Theater, cabaret, auditorium, banquet facility, cultural facilities, recreational facility, and markets for arts, crafts, or food, colleges, universities, vocational schools, day-care centers.

We do acknowledge the cause for confusion and lack of clarity at this portion of the code as “hotel” is not expressly listed in any of the parking use group definitions. Similarly, other P* uses – such as Artisan Manufacturing and Community Facility – are also not classified within any parking use group. However, a number of other uses that are permitted within the PID-HC subdistrict as P* uses - such as Art studio, broadcast studio, home occupation, offices (business, professional or medical) - are classified within the Office and Non-Retail Commercial parking use group. Thus, based on the fact that hotels are identified within the permitted use table as a “P*” use, expressly not requiring Planning Board approval, plus the fact that hotels are omitted from the “Other Uses” parking use group, we believe that hotels should therefore be classified within the Non-retail Commercial parking use group and that parking requirements should not be used as a tool to require Planning Board approval where the codes expressly waives that requirement.

Furthermore, it is worth noting that it appears to be an intentional move of the PID zoning code to remove parking requirements from the PID-HC subdistrict, as illustrated in the Table 3.37-4 by a parking requirement of zero (0) for all parking use groups within the PID-HC subdistrict. In more modern codes, especially in central commercial districts with an existing built form, the removal of parking requirements is often used as a tool to facilitate investment and the highest-and-best use of space. Removal of on-site parking requirements is especially helpful for the adaptive reuse of existing structures that were built before parking requirement formulas were invented, and therefore occupy the full extent of the parcel on which they sit. The removal of parking requirements within specific districts and for specific uses does not mean that parking will not be provided, it simply acknowledges that the provision of on-site parking for each individual site is not conducive with good urban form¹.

Based on the above rationale, we are therefore seeking an interpretation from the Zoning Board of Appeals that Section 19-3.37 of the zoning code intends for hotel uses within the PID-HC subdistrict to be exempt from Planning Board review.

Thank you for your time and consideration of this request.

Sincerely,

Natalie Quinn

Natalie Quinn

¹ Speck, Jeff. Walkable City Rules (excerpt). 2108. https://issuu.com/theparkingprofessional/docs/walkablecity_tpp

**Parcel Number**

131300-6162-78-160058-0000

Parcel Location

375-379 Main St

Municipality

Poughkeepsie City

Owner Name

375 Main LLC (P)

Primary Owner Mailing Address

147 Union St
Ste 101
Poughkeepsie, NY 12601

**Parcel Details**

Lot Size (acres):	0.28 AC (C)	Split Town:	-
Filed Map:	-	Agri. District:	None
File Lot #:	-	School District:	(131300) Poughkeepsie City SD
Land Use Class:	(453) Large retail		

Assessment Information (Current)

Land:	Total:	County Taxable:	Town Taxable:	School Taxable:	Village Taxable:
\$74,800	\$2,300,000	\$2,300,000	\$2,300,000	\$2,300,000	\$0
Tax Code:	Roll Section:	Uniform %:	Full Market Value:		
N (Non-Homestead)	1 (Taxable)	100	\$2,300,000		
Tentative Roll:	Final Roll:	Valuation Date:			
5/1/2023	7/1/2023	7/1/2022			

Last Sale / Transfer

Sale Price:	Sale Date:	Deed Book:	Deed Page:	Sale Condition:	No. Parcels:
\$2,300,000	11/28/2022	22022	4970	J	1

Site Information**Site 1**

Water Supply:	Sewer Type:	Desirability:	Zoning Code:	Used As:
(3) Comm/public	(3) Comm/public	(3) Normal		(D05) Large retail

Commercial / Industrial / Utility Building Information

Site 1, Section 1, No. 1

Year Built:	No. Stories:	Gross Floor Area:	Boeck Model:	
1840	5	44,708	(0319) 2 sty Str/off/apt load sup	
Air Cond. %:	Sprinkler %:	Alarm %:	No. Elevators:	Basement SF:
0	0	0	0	0
Number Identical:	Condition Code:	Constr. Qual:		
0	3	(1) Average -		

Site 1, Section 2, No. 1

Year Built:	No. Stories:	Gross Floor Area:	Boeck Model:	
1930	5	8,400	(0844) 5-7 sty warehse reinf conc	
Air Cond. %:	Sprinkler %:	Alarm %:	No. Elevators:	Basement SF:
0	0	0	0	0
Number Identical:	Condition Code:	Constr. Qual:		
0	3	(1) Average -		

Commercial Rental Information

Site 1, Use 1

Used As:			Unit Code:	Total Rent Area:	Total Units:
(D05) Large retail			-	53,108	0
Area 1 Bed. Apts.:	Area 2 Bed. Apts.:	Area 3 Bed. Apts.:	No. 1 Bed. Apts:	No. 2 Bed. Apts:	No. 3 Bed. Apts:
0	0	0	0	0	0

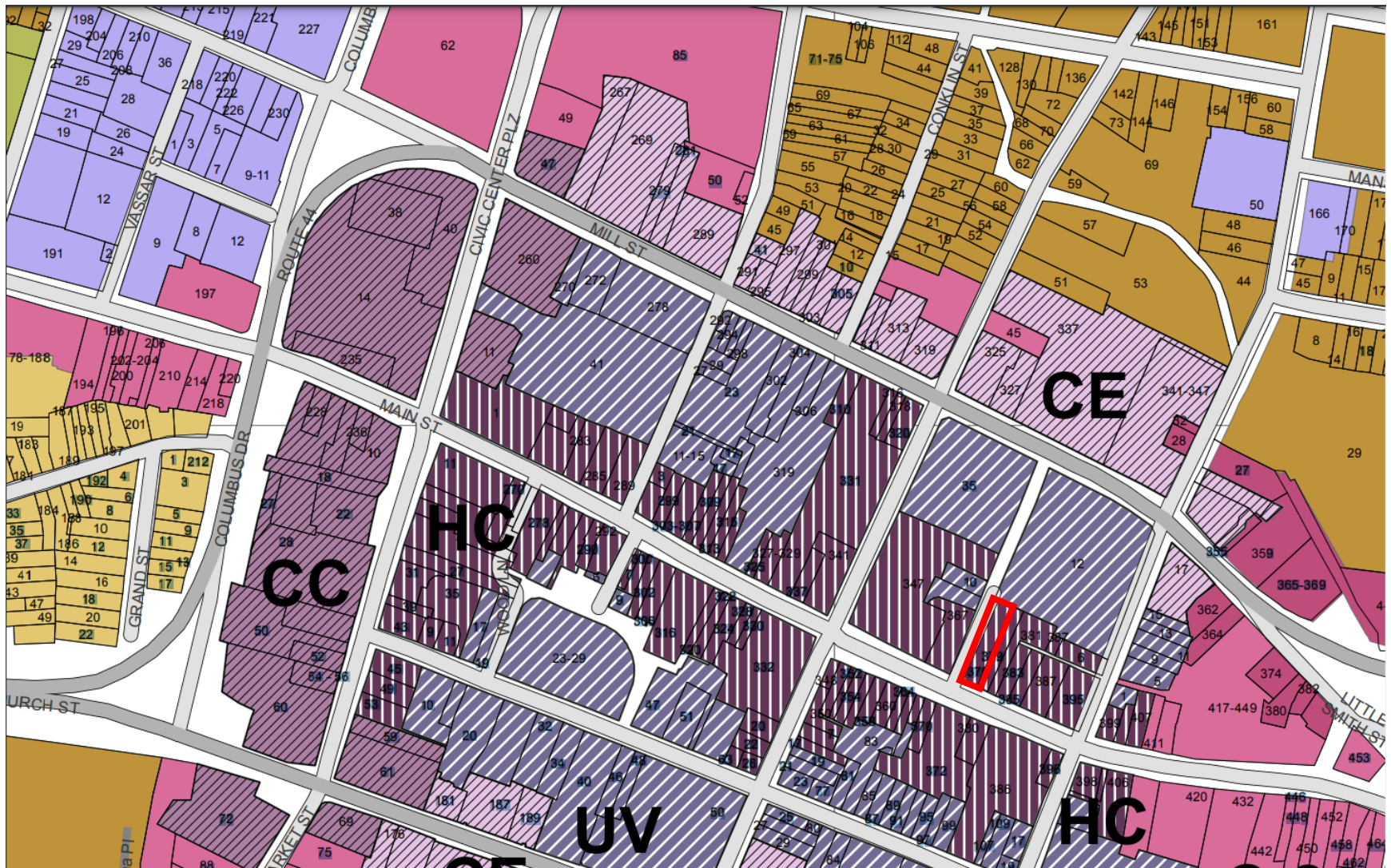
Special District Information

Special District: GP000

Special District Name:	Primary Units:	Ad Valorem Value:
Greater Pok Lib Dist	0	\$2,300,000

ABSOLUTELY NO ACCURACY OR COMPLETENESS GUARANTEE IS IMPLIED OR INTENDED. ALL INFORMATION ON THIS MAP IS SUBJECT TO CHANGE BASED ON A COMPLETE TITLE SEARCH OR FIELD SURVEY.

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**THE CITY OF POUGHKEEPSIE
NEW YORK**
DEVELOPMENT DEPARTMENT
62 CIVIC CENTER PLAZA, 2ND FLOOR
POUGHKEEPSIE, NY 12601
Phone: (845) 451-4055 Fax: (845) 451-4006

FEE: \$50.00
CODE: ZRSP
ID# _____

ZONING REVIEW REQUEST

Property Address: 375-379 Main Street
Parcel Grid #: 131300-6162-78-160058-0000

Contact Info: ☐ Applicant ☐ Owner ☒ Consultant ☐ Other: _____

Name: Natalie Quinn
Phone number: 845-874-7166
Email (required): natalie@karcpc.com

Current use of property: vacant / formerly office furniture storage and retail

Proposed use of property: Adaptive reuse of existing structure to develop a hotel with amenities. Hotel amenities will include gift shop, restaurant with lounge, kitchen, conference/ event space, fitness and wellness studios, zen garden, roof terrace, and back-of-house office & storage

Additional questions: Please see attached narrative

Official use only:

- ☐ Additional information required for review (date: _____)
- ☐ Zoning District: _____
- ☐ Use Variance from the Zoning Board of Appeals
- ☐ Area Variance(s) from Zoning Board of Appeals
- ☐ Requires ☐ Site Plan ☐ Special Permit approval from Planning Board
- ☐ Requires Sign Permit from ☐ Planning Staff ☐ Planning Board
- ☐ Requires Building Permit
- ☐ Requires other approvals or reviews:
 - ☐ Historic District and Landmarks Preservation Commission
 - ☐ Waterfront Advisory Committee ☐ Shade Tree Commission

Notes: _____

Responded by: ☐ email ☐ letter ☐ phone ☐ in person ☐ email/letter attached

Judith Knauss, Deputy Zoning Administrator
Joseph O'Brien, Deputy Zoning Administrator

Date

**Zoning Review Request
375-379 Main Street
Additional Questions**

We are seeking clarification on the parking requirement and approval process for hotels in the PID-HC zoning district.

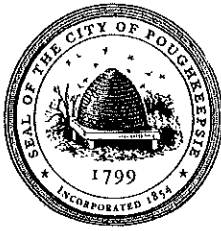
We believe that the proposed use, as described on the attached ZRR form, aligns directly with the definition of "Hotel" at defined in Section 19-2.2 of the zoning code, including all accessory uses. Please confirm use designation.

Within the PID-HC zoning district, hotels are designated as a "P*" use in Table 3.37-1. The code states in Section 19-3.37(6)(a) "Permitted uses designated by P* in Table 3.37-1 have been determined not to negatively impact parking, loading, drainage or utilities and therefore do not require site plan review by the Planning Board."

However, in the parking standards section of 19-3.37, "hotel" is not listed in Table 3.37-4, nor is it listed in any of the defined Parking Use Groups in Section 19-3.37(14) *Definition of terms*. Please confirm whether a hotel would be classified as "Office and Non-Retail Commercial" or "Other uses" with regards to parking requirements.

If a hotel would be classified as "office and non-retail" then we believe the project does not require Planning Board approval due to the P* use classification and 0 parking requirement. However, if a hotel is classified as "Other use," then Table 3.37-4 states that "Other uses" will have a parking requirement "as determined to be appropriate by the Planning Board during site plan review."

If it is deemed that a hotel would be classified as "other use" with regards to parking standards, please clarify the necessary approval process. In such a case it would seem that the code contradicts itself since the use table specifically states that Planning Board approval is not required (and specifically notes that parking has been considered) and yet the parking standard table states that the Planning Board must determine the parking requirement. If Planning Board approval is required, would review be limited solely to establishing a parking requirement?



**THE CITY OF POUGHKEEPSIE
NEW YORK
PLANNING & ZONING**
62 CIVIC CENTER PLAZA, 2ND FLOOR
POUGHKEEPSIE, NY 12601
Phone: (845) 451-4055 Fax: (845) 451-4006

FEE: \$350.00
CODE: A2112
ID# _____
IPS# _____

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION

PROPERTY ADDRESS: 75 SOUTH HAMILTON STREET, POUGHKEEPSIE, NY 12601

ZONING DISTRICT: R4

OWNER INFORMATION:

Name: 75 SHAMILTON LLC C/O NATIA PORTER
Address: 476E 146 STREET , BRONX, NY 10455

Phone: 347-291-7525
Email: natia2009@gmail.com

APPLICANT INFORMATION:

Name: NATIA PORTER
Address: 476E 146 STREET , BRONX, NY 10455

Phone: 3472917525
Email: natia2009@gmail.com

CONSULTANT INFORMATION:

Name: MAZZARELLI ARCHITUCTURE and PLANNING
Address: 44 NORTH CLOVER STREET
POUGHKEEPSIE, NY 12601

Phone: 845 485 0275
Email: mazzarch@mazzarelli.biz

SUBJECT OF APPEAL

This application relative to the above referenced property constitutes an appeal from the decision, determination or violation of an official of the City of Poughkeepsie.

Name and title of agent: _____

Date of decision/determination/violation: _____

Please note that a copy of the communication must be attached with this application.

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION
PROPERTY ADDRESS: 75 SOUTH HAMILTON STREET, POUGHKEEPSIE, NY 12601

AREA VARIANCE REQUESTS

All sections under this heading must be answered completely. Bear in mind that a variance is actually relief from the strict application of the requirements of the law (the Zoning Ordinance), and the Zoning Board of Appeals is required to give sound reasons, based on the criteria set forth in this application, for granting any such relief.

SECTION	REQUIRING/PROHIBITING	REQUESTED VARIANCE
19-3.15(4)(A)	10,000 LOT AREA	5121 SQ
19-3.15(4)(E)	6 SIDE YARD	0 FT

VARIANCE REQUEST JUSTIFICATION

Pursuant to Section 19-8.4 (2) (d) of the Zoning Ordinance, the Zoning Board of Appeals, in making its determination, shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such granting.

Bear in mind that a variance is actually relief from the strict application of the requirements of the law (the Zoning Ordinance), and the Zoning Board of Appeals is required by law to give sound reasons, based on the criteria set forth in this application, for granting any such relief. **Please note that it is therefore incumbent upon the applicant to demonstrate to the Board that the criteria for the granting of the variance(s) are satisfied.**

Responses to the following questions shall be attached to and submitted with the application.

- 1) Will the granting of the variance produce an undesirable change in the character of the neighborhood or be a detriment to nearby properties? If not, please explain why.
- 2) Can the benefit sought be achieved by some other method feasibly for the applicant to pursue, other than an area variance? Identify what alternatives to the variance, if any, have been explored (for example, alternative designs, purchasing of contiguous properties, etc.). Why is the variance necessary?
- 3) Is/are the requested area variance(s) substantial? Explain why they are not substantial.
- 4) Will the variance(s) have an adverse affect or impact on the physical or environmental conditions in the neighborhood or district? Why not?
- 5) Is the need for the area variance(s) the result of self-created difficulties on your part, or unique to the property? Explain.

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION
PROPERTY ADDRESS: 75 SOUTH HAMILTON STREET, POUGHKEEPSIE, NY 12601

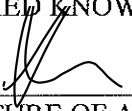
LIST OF REQUIRED ATTACHMENTS

1. Letter or communication which resulted in application to the ZBA.
2. Site or Plot Plan: Nine (9) copies.
3. Color photos of site conditions: Nine (9) copies
4. Complete Short EAF
5. Electronic file submission of the plot plan and color photos
6. Other attachments deemed pertinent by the applicant (please list):

SIGNATURE AND VERIFICATION

Please be advised that no application can be deemed complete unless signed below.

THE APPLICANT HEREBY STATES THAT ALL INFORMATION GIVEN IS ACCURATE AS OF THE DATE OF APPLICATION. THE APPLICANT, IF NOT THE OWNER OF THE PROPERTY, HEREBY SWEARS THAT THIS APPLICATION IS MADE WITH THE INFORMED KNOWLEDGE AND CONSENT OF THE OWNER.



SIGNATURE OF APPLICANT

5/1/2023

DATE

Natia Porter

Print Name

Date: 5.22.2023

Re: Variance Request Justification

Property Address: 75 South Hamilton Street, Poughkeepsie, NY 12601

To: Zoning Board of Appeals

1. Granting of the variance will not produce undesirable result. It will not change the character of the neighborhood. Our project does not change exterior appearance of the property. We are not adding any additional paving or parking.
2. The sought benefits cannot be achieved by any other method. The only alternatives are to sell the property or rent it. Neither of the alternatives are feasible options to me. The variance is necessary in order support the house of this size financially and helps the demand for housing within the city.
3. Requested variance is substantial at plus or minus 51%. However, there is no change to the exterior of the residence or the lot. In the back of the house there is an ample room for parking. {Please see the site plan attached}
4. Requested variance does not change the exterior of the structure or its surroundings, therefore it does not have an adverse effect or impact on the environmental conditions of the neighborhood or the district.
5. The hardship is not self-created; this is a 4-story large house that could house more than one family. I believe keeping it as a one family is a waste of huge space, especially in the heart of the city where the housing demand is very high.

If you have any questions, please do not hesitate to contact me.

Sincerely ,

Natia Porter

natia2009@gmail.com

3472917525



BUILDING DEPARTMENT

CITY OF POUGHKEEPSIE

62 CIVIC CENTER PLAZA, 2ND FLOOR

POUGHKEEPSIE, NY 12601

Phone: (845) 451-4007 Fax: (845) 451-4006

Eric Philipp
Building Inspector

June 2nd, 2023

Mazzarelli Architecture and Planning

Re: 75 S Hamilton Street

ID: 213020

Zoning Review Request PD-2023-048

Dear Mr. Bernabe,

The Development Department is in receipt of your zoning review request relative to the property at 75 S Hamilton Street and the proposed conversion of the existing building from a Single-family dwelling into a Two-family dwelling. This property is located within the Medium High-Density Residence District(R-4) which does allow Two-family dwellings per code Section 19-3.15(2)(a)2 of the Zoning Ordinance. Upon review of the provided plans, I've been able to determine that Area Variance(s) will be required which are as follows;

1. Section 19-3.15(4)(a) requires a minimum of 10,000sf of lot area for the proposed use; the lot area is 4,879sf.
2. Section 19-3.15(4)(e) requires a minimum of a 6' side yard for the proposed use; the right-side yard is 0'.

After all Area Variances are granted by the Zoning Board of Appeals, you would then need to file all required Building permits and obtain an issued Certificate of Occupancy from the Building Department.

If you have any questions or comments, please feel free to contact me, info is listed below, thanks.

Joseph D. O'Brien

Deputy Zoning Administrator

Office - 845-451-4273

jobrien@cityofpoughkeepsie.com

Wednesday, June 14, 2023

To: Poughkeepsie Zoning Board

Dear Zoning Board,

I, Natia Porter, wish to convert an existing single-family home to a 2-family home.

I, Natia Porter, hereby certify that I am familiar w/ the zoning board submission and hereby certify that I am financially capable of completing this project.

Thank you.

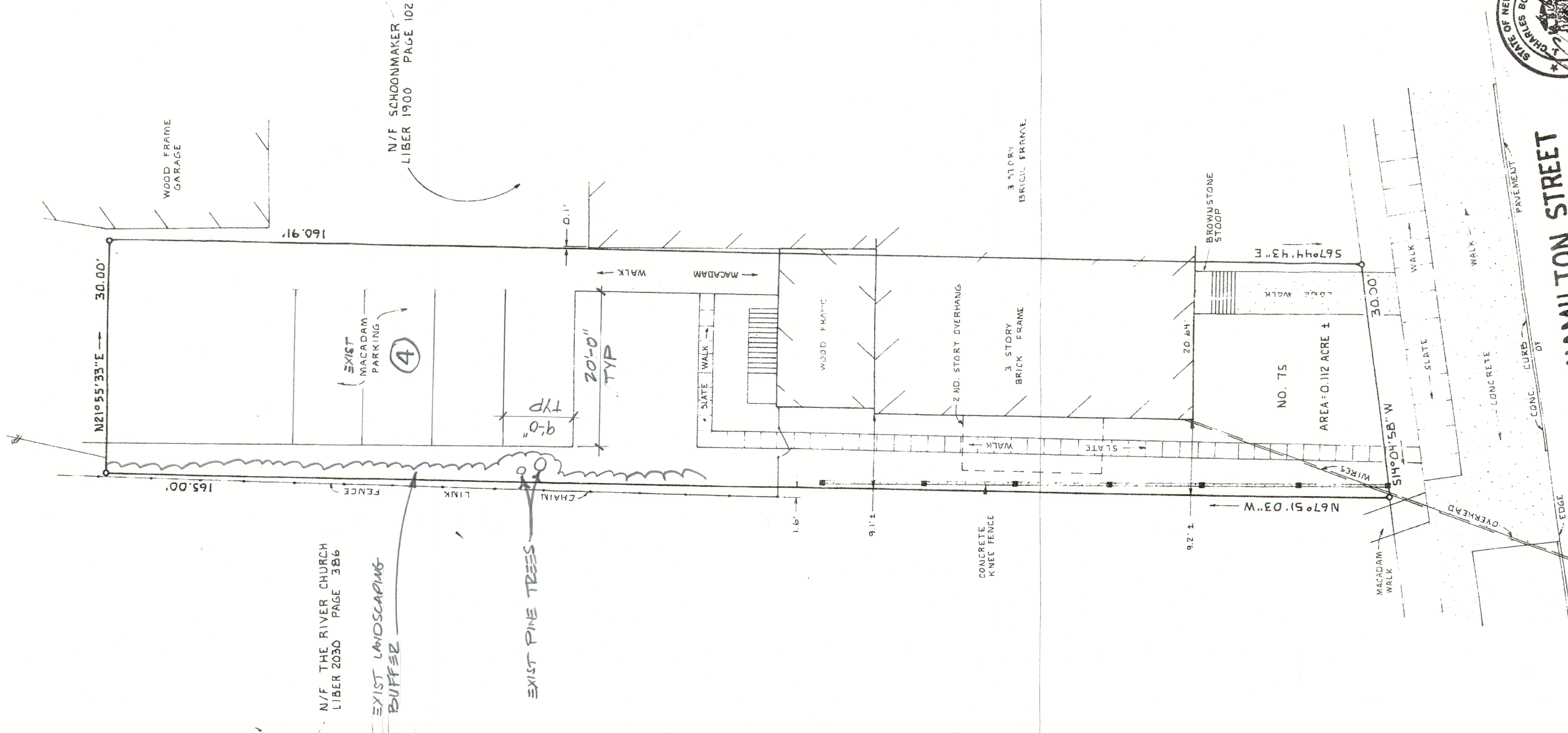
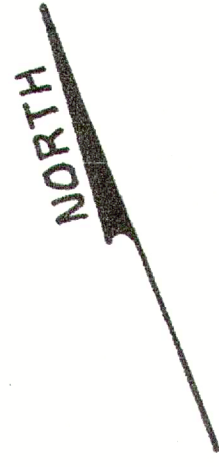


Signed: _____

Printed: NATIA PORTER _____

Title: OWNER / PRESIDENT _____

Location of Property:	75 SOUTH HAMILTON ST
Record Owner(s):	75 SHAMILTON LLC NATIA PORTER, PRESIDENT
Mailing Address:	476 EAST 146 ST BRONX, NY 10455
Phone #:	347-291-7525
Email	natia2009@gmail.com



WAR 0 2007

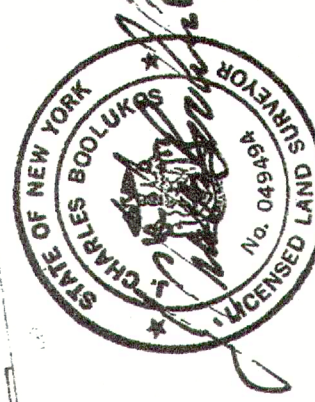
REF. TAX MAP NO. 6161-21-118891

THIS MAP IS CERTIFIED ONLY TO:

NIKOLAS ELEVITCH
COMMONWEALTH LAND TITLE INSURANCE COMPANY
A. ALLENDORPH SCHOONMAKER, III AND PETER L. SCHOONMAKER

LAND SURVEY MAP

PREPARED FOR
ELEVITCH
SITUATE IN THE
CITY OF POUGHKEEPSIE
DUTCHESS COUNTY
NEW YORK



SCALE: 1 INCH = 10 FEET

SURVEYED BY
J. CHARLES BOOLUKOS P.L.S.
NEW YORK STATE LICENSE NO. 049494
REV. FEB. 15, 2007 RE-CERTIFY
REV. NOV. 30, 2006 FIELD INSPECTION
4 RE. CERTIFY 161 EAST MARKET ST. ~ RHINEBECK, N.Y.
TELE: 845-876-7423 FAX: 845-876-7423

SOUTH HAMILTON STREET



**THE CITY OF POUGHKEEPSIE
NEW YORK**

DEVELOPMENT DEPARTMENT
62 CIVIC CENTER PLAZA, 2ND FLOOR
POUGHKEEPSIE, NY 12601
Phone: (845) 451-4263 Fax: (845) 451-4006

MEMORANDUM

To: Natia Porter

From: Tyler Maegerle, Junior Planner

Date: 6/27/2023

Re: 75 South Hamilton Street

Upon review of project materials provided by the applicant, including Short EAF Part 1 and site plan application, it is my understanding that the proposed action to be undertaken includes conversion of a single-family dwelling into a two-family dwelling.

Based on the above description it is the determination of the planning division that the proposed action is classified as Type II Action with regards to SEQRA pursuant to 6 NYCRR Section 617.5 (c)(11) "construction or expansion of a single-family, a two-family or a three-family residence on an approved lot including provision of necessary utility connections as provided in paragraph (13) of this subdivision and the installation, maintenance or upgrade of a drinking water well or a septic system, or both, and conveyances of land in connection therewith." The action is therefore not subject to further environmental review.

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
NATIA PORTER, 75 SHAMILTON LLC			
Name of Action or Project:			
ALTERATIONS AND RENOVATIONS TO 75 SOUTH HAMILTON STREET			
Project Location (describe, and attach a location map):			
75 SOUTH HAMILTON STREET			
Brief Description of Proposed Action:			
WE ARE CONVERTING EXISTING ONE FAMILY HOUSE TO TWO FAMILY HOUSE.			
Name of Applicant or Sponsor:		Telephone: 3472917525	
NATIA PORTER		E-Mail: NATIA 2009@gmail.com	
Address:			
476E 146TH STREET			
City/PO:		State:	Zip Code:
BRONX		NY	10455
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			NO
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			YES
			☒
			☐
2. Does the proposed action require a permit, approval or funding from any other government Agency?			NO
If Yes, list agency(s) name and permit or approval: BUILDING DEP; BUILDING PERMIT.			YES
			☐
			☒
3. a. Total acreage of the site of the proposed action?		.112 acres	
b. Total acreage to be physically disturbed?		0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		.112 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. ☒ Urban ☐ Rural (non-agriculture) ☐ Industrial ☒ Commercial ☐ Residential (suburban)			
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify):			
☐ Parkland			

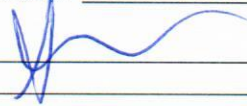
5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	☐	☒	☐
b. Consistent with the adopted comprehensive plan?	☐	☒	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	☐	☒	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	☒	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
b. Are public transportation services available at or near the site of the proposed action?	☐	☒	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☐	☒	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	☐	☒	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	☐	☒	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	☐	☒	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	☐	☒	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	☒	☐	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	☒	☐	

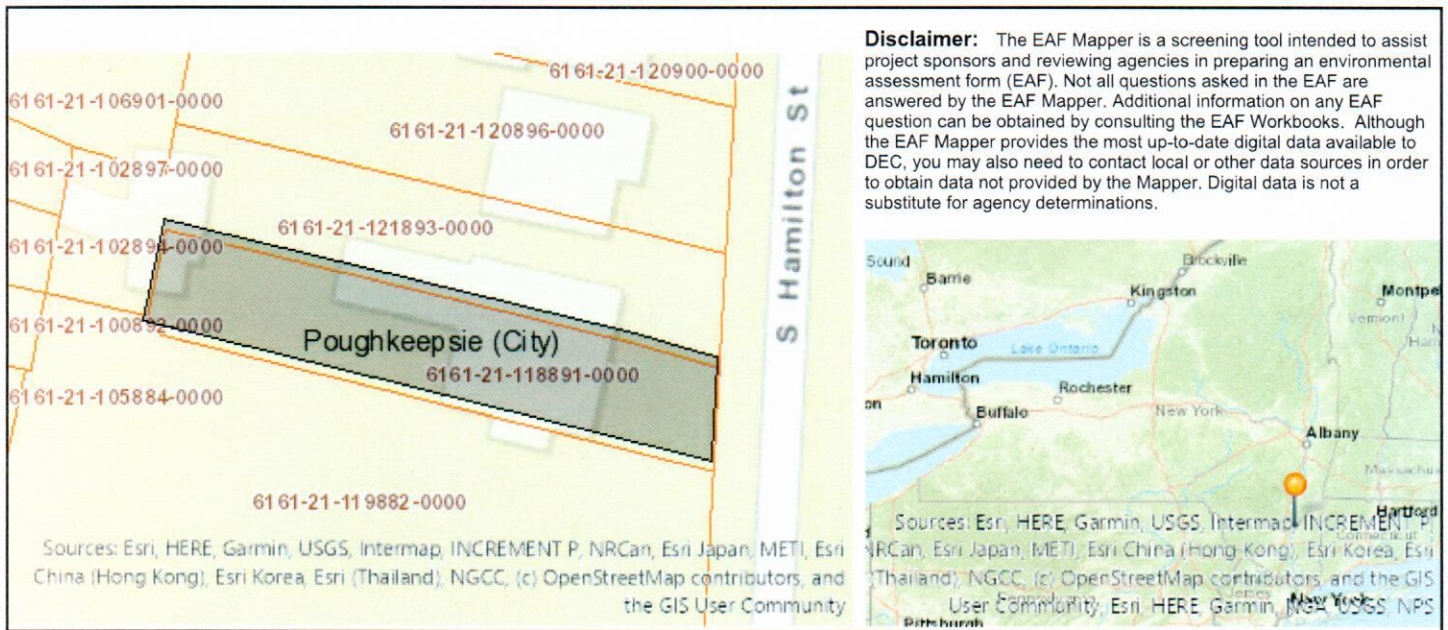
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☒ Urban ☐ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	☒	☐
16. Is the project site located in the 100-year flood plan?	NO	YES
	☒	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	☒	☐
a. Will storm water discharges flow to adjacent properties?	☒	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	☒	☐

18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	☒	☐

19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	☒	☐

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	☐	☒

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>NATIA PORTER</u> Date: <u>5.22.2023</u>		
Signature: <u></u> Title: <u>OWNER / president</u>		



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	Yes
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	Yes

DRIVEWAY MAINTENANCE AGREEMENT

This agreement made this 28 day of August, 2018 between 75 South Hamilton Street LLC, having an address at 75 South Hamilton Street, Poughkeepsie, New York 12601 and Barbara Lopez, Hancer Ricardo Reyes, Gilbert Reyes and Guido Melvin Reyes, residing at 73 South Hamilton Street, Poughkeepsie New York 12601.

Whereas the above parties are owners of contiguous parcels in the City of Poughkeepsie known respectively as 75 S. Hamilton Street and 73 S. Hamilton Street, which lots share a common driveway extending into each of the two parcels, and

Whereas both the above mentioned parcels are subject to a driveway easement set forth in Dutchess County Clerk's office Doc. # 02 2007 1512 which requires that the owners of 73 S. Hamilton and 75 S. Hamilton maintain the common drive which is also shared with 71 S. Hamilton, and

Whereas the above noted driveway easement does not set forth any percentage of responsibility for maintenance between 73 S. Hamilton and 75 S. Hamilton and therefore the purpose of this agreement is to establish the percentage of responsibility between the two lot owners,

NOW, therefore, it is agreed by and between the above parties as follows:

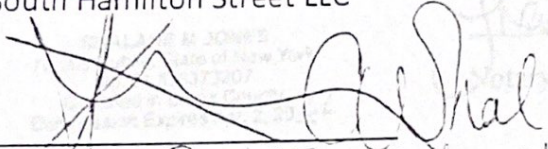
1. The parties agree to share equally in the cost of the regular maintenance of the driveway.
2. Each party releases the other from any claim they may have against the other arising out of injury or damage occasioned by their use of the common driveway.
3. To the extent the common driveway is blacktopped, each agrees to contribute equally to the periodic replacement of the same.
4. This agreement shall be binding upon the successors and assigns of the parties

5. This agreement, as to 75 S. Hamilton Street LLC, is made with the consent of the members of the company.

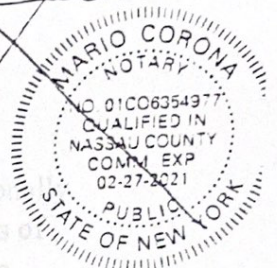
In witness whereof, the parties have signed and acknowledged this agreement as follows.

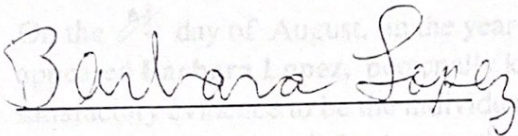
75 South Hamilton Street LLC

By:

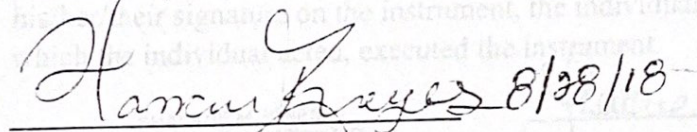

Natia Porter AS Authorized Agent

Acknowledged Signature of
Natia Porter on this 10th
day of September 2018

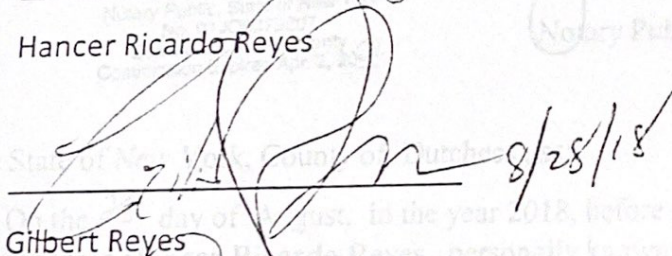


 8/25/18

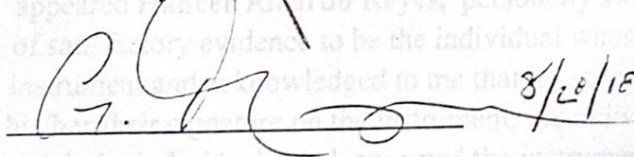
Barbara Lopez

 8/28/18

Hancer Ricardo Reyes

 8/28/18

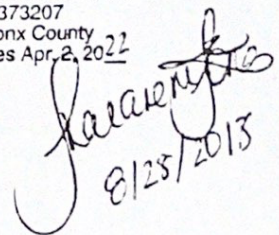
Gilbert Reyes

 8/28/18

Guido Melvin Reyes

SHALANE M JONES
Notary Public, State of New York
No. 01JO6373207
Qualified in Bronx County
Commission Expires Apr. 2, 2022

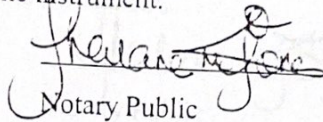
SHALANE M JONES
Notary Public, State of New York
No. 01JO6373207
Qualified in Bronx County
Commission Expires Apr. 2, 2022

 8/25/2018

State of New York, County of Dutchess, ss:

On the 9th day of August, in the year 2018, before me, the undersigned, personally appeared Barbara Lopez, Gilbert Reyes, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his/her/their signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

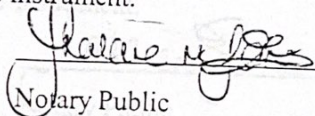
SHALANE M JONES
Notary Public, State of New York
No. 01JO6373207
Qualified in Bronx County
Commission Expires Apr. 2, 2022


Notary Public

State of New York, County of Dutchess, ss:

On the 9th day of August, in the year 2018, before me, the undersigned, personally appeared **Barbara Lopez**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his/her/their signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

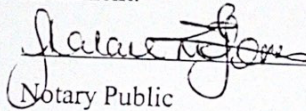
SHALANE M JONES
Notary Public, State of New York
No. 01JO6373207
Qualified in Bronx County
Commission Expires Apr. 2, 2022


Notary Public

State of New York, County of Dutchess, ss:

On the 28 day of August, in the year 2018, before me, the undersigned, personally appeared **Hancer Ricardo Reyes**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his/her/their signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

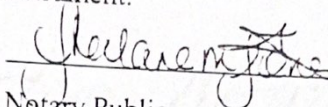
SHALANE M JONES
Notary Public, State of New York
No. 01JO6373207
Qualified in Bronx County
Commission Expires Apr. 2, 2022


Notary Public

State of New York, County of Dutchess, ss:

On the 08 day of August, in the year 2018, before me, the undersigned, personally appeared **Gilbert Reyes**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his/her/their signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

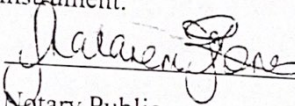
SHALANE M JONES
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No. 01JO6373207
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Commission Expires Apr. 2, 2022


Notary Public

State of New York, County of Dutchess, ss:

On the 28 day of August, in the year 2018, before me, the undersigned, personally appeared **Guido Melvin Reyes**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his/her/their signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

SHALANE M JONES
Notary Public, State of New York
No. 01JO6373207
Qualified in Bronx County
Commission Expires Apr. 2, 2022


Notary Public

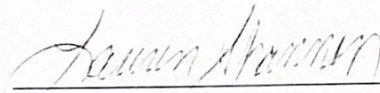
Record and Return to:

Natia Porter
111 West 106th Street, Apt 5E
New York, NY 10025

STATE OF NEW YORK, COUNTY OF DUTCHESS)

ss.:

On the 11th day of September, in the year 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared **CARA A. WHALEN**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.



NOTARY PUBLIC

Lauren Spenn
Notary Public, State of New York
2018-2020 Dutchess County
Commission Expires Oct. 23, 2020

Consent of Property Owner(s)

Date: 22 MAY 23

Location of Property: 75 SOUTH HAMILTON ST

Record Owner(s): 75 SHAMILTON LLC
NATIA PORTER, PRESIDENT

Address: 476 EAST 146 ST
BRONX, NY 10455

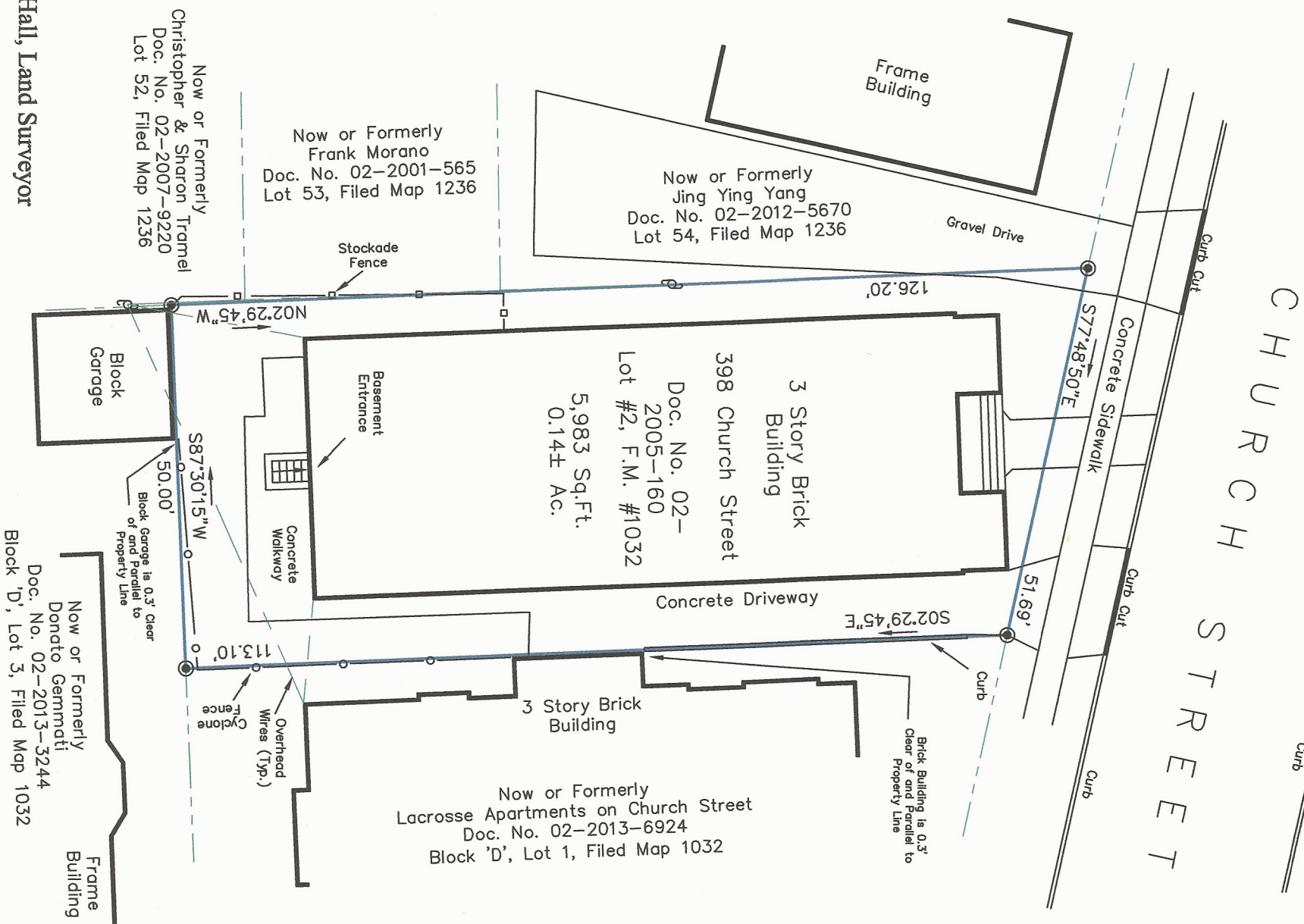
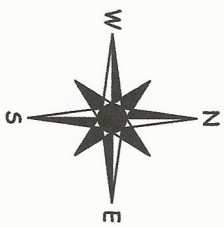
Phone #: 347-291-7525

I, Natia Porter hereby give consent to Mazzarelli Architecture + Planning, PC to act as my agent with regard to the application to the "Zoning Board" concerning the above property, which is scheduled to appear before the Zoning board on 11 July 23 & any additional meetings as required.

Signed: 

Printed: NATIA PORTER

Title: OWNER



Spencer S. Hall, Land Surveyor

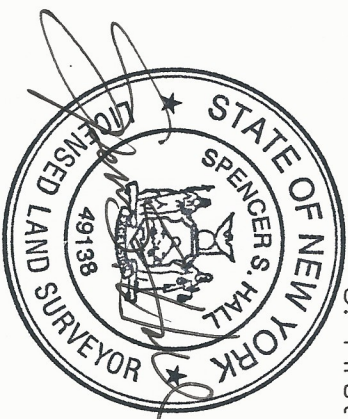
NYS Lic. No.: 49138
6244 Route 82, Stanfordville, NY 12581
(845) 868-1262

NOTES

1. Field location work performed on December 28, 2015, field check on January 5, 2017.
2. Surveyed as per maps and deeds filed and recorded in the Dutchess County Clerk's Office as noted hereon and as in indicated possession.
3. Subject to rights-of-way, easements, covenants and restrictions of record, if any, and any statement of facts an accurate and up-to-date examination of title may reveal.
4. Underground improvements or encroachments, if any, are not shown hereon.
5. Unauthorized alteration or addition to a survey map bearing a Licensed Land Surveyor's seal is a violation of Section 7209, Subdivision 2 of the New York State Education Law.

CERTIFIED TO:

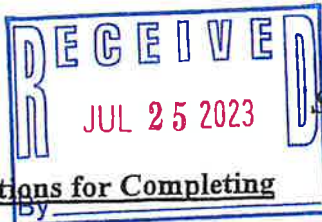
1. The Community Preservation Corporation, its successors and/or assigns.
2. CPC Funding SPE 1 LLC, its successors and/or assigns.
3. State of New York Mortgage Agency.
4. Comptroller of the State of New York as Trustee of the Common Retirement Fund.
5. First American Title Insurance Company.



Map of a Survey
for

398 Church Street LLC

City of Poughkeepsie Dutchess County, New York
Scale: 1"=20'
January 6, 2017



617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing
By _____

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information LEGALIZE FENCE (Existing Fence)																		
Name of Action or Project: 390 Church UC LEGALIZE FENCE																		
Project Location (describe, and attach a location map): 390 Church ST TONIGHTKEEPSIE NY 12601																		
Brief Description of Proposed Action: LEGALIZE FENCE																		
Name of Applicant or Sponsor: GEORGE LULAJ.		Telephone: 917 807-8777 E-Mail: GLULAJ@YAHOO.COM																
Address: 642 Main ST																		
City/PO: TONIGHTKEEPSIE		State: NY	Zip Code: 12601															
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1"><tr><td>NO</td><td>YES</td></tr><tr><td>☒</td><td>☐</td></tr></table>	NO	YES	☒	☐											
NO	YES																	
☒	☐																	
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			<table border="1"><tr><td>NO</td><td>YES</td></tr><tr><td>☒</td><td>☐</td></tr></table>	NO	YES	☒	☐											
NO	YES																	
☒	☐																	
3.a. Total acreage of the site of the proposed action?		0.17222222 acres	750 Sq Ft.															
b. Total acreage to be physically disturbed?		0.17222222 acres	750 Sq Ft.															
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.17222222 acres	750 Sq Ft.															
4. Check all land uses that occur on, adjoining and near the proposed action. <table border="0"><tr><td>☐ Urban</td><td>☐ Rural (non-agriculture)</td><td>☐ Industrial</td><td>☒ Commercial</td><td>☐ Residential (suburban)</td></tr><tr><td>☐ Forest</td><td>☐ Agriculture</td><td>☐ Aquatic</td><td>☒ Other (specify): Apartment Building</td><td></td></tr><tr><td>☐ Parkland</td><td></td><td></td><td>14 units.</td><td></td></tr></table>				☐ Urban	☐ Rural (non-agriculture)	☐ Industrial	☒ Commercial	☐ Residential (suburban)	☐ Forest	☐ Agriculture	☐ Aquatic	☒ Other (specify): Apartment Building		☐ Parkland			14 units.	
☐ Urban	☐ Rural (non-agriculture)	☐ Industrial	☒ Commercial	☐ Residential (suburban)														
☐ Forest	☐ Agriculture	☐ Aquatic	☒ Other (specify): Apartment Building															
☐ Parkland			14 units.															

	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations?	☒	☒	☐
b. Consistent with the adopted comprehensive plan?	☒	☐	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	☒	☒	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	☒	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	☒	☐	
b. Are public transportation service(s) available at or near the site of the proposed action?	☒	☐	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	☒	☐	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	☒	☐	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	☒	☐	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	☒	☐	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	☒	☐	
b. Is the proposed action located in an archeological sensitive area?	☒	☐	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	☒	☐	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	☒	☐	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☐ Urban ☐ Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	☒	☐	
16. Is the project site located in the 100 year flood plain?	☒	☐	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? ☐ NO ☐ YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? ☐ NO ☐ YES If Yes, briefly describe: _____ _____ _____	☒	☐	

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____	NO ☒	YES ☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO ☒	YES ☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO ☒	YES ☐
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>GEORGE Winkaj</u> Date: <u>2/24/2023</u> Signature: <u>[Signature]</u>		

















**NO
TRESPASSING**
PRIVATE PROPERTY
VIOLATORS WILL BE
PROSECUTED



BUILDING DEPARTMENT

CITY OF POUGHKEEPSIE

62 CIVIC CENTER PLAZA, 2ND FLOOR

POUGHKEEPSIE, NY 12601

Phone: (845) 451-4007 Fax: (845) 451-4006

Eric Philipp
Building Inspector

07/25/2023

398 Church LLC
642 Main St.
Poughkeepsie, NY 12601

RE: 398 Church St

Mr. Lulaj,

With regard to Building Permit 22-0016, the permit has been Issued to abate violations on the above referenced property, including an installed fence. As discussed, fences must conform to section 19-4.13 (3) of the City of Poughkeepsie zoning and land use regulations. (see below)

Fences and walls. Except as provided in Section **19-4.12(5)**, on corner lots and except as otherwise provided hereinafter, fences and walls not exceeding eight feet in height may be erected or hedges maintained and planted on any lot line. No such fence, wall or ledge shall be permitted nearer than 10 feet to any wall or an adjoining building that contains legal windows. All walls and fences shall be substantially constructed and shall meet with the approval of the Building Inspector with respect to public safety. No hedges shall overhang the public street or sidewalk in such a manner as to interfere with pedestrian or vehicular traffic.

Given that the fence is substantially closer than 10 feet from a parallel neighboring structure It will need to be removed. You also may wish, as an alternative, to apply for relief through the variance process.

Please let me know how you wish to proceed.

Peter Nocerino

City of Poughkeepsie
Deputy Building Inspector



**THE CITY OF POUGHKEEPSIE
NEW YORK**

DEVELOPMENT DEPARTMENT

62 CIVIC CENTER PLAZA, 2ND FLOOR

POUGHKEEPSIE, NY 12601

Phone: (845) 451-4263 Fax: (845) 451-4006

MEMORANDUM

To: George Lulaj

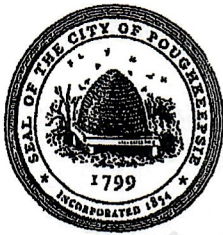
From: Tyler Maegerle, Junior Planner

Date: 7/26/2023

Re: 398 Church Street

Upon review of project materials provided by the applicant, including Short EAF Part 1 and site plan application, it is my understanding that the proposed action to be undertaken includes a variance for an existing fence.

Based on the above description it is the determination of the planning division that the proposed action is classified as Type II Action with regards to SEQRA pursuant to 6 NYCRR Section 617.5 (c)(12) "construction, expansion or placement of minor accessory/appurtenant residential structures, including garages, carports, patios, decks, swimming pools, tennis courts, satellite dishes, fences, barns, storage sheds or other buildings not changing land use or density;." The action is therefore not subject to further environmental review.



THE CITY OF POUGHKEEPSIE
NEW YORK
PLANNING & ZONING
62 CIVIC CENTER PLAZA, 2ND FLOOR
POUGHKEEPSIE, NY 12601
Phone: (845) 451-4055 Fax: (845) 451-4006

FEE: \$350.00
CODE: A2112
ID# _____
IPS# _____

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION

PROPERTY ADDRESS: 398 Church St Poughkeepsie NY 12601

ZONING DISTRICT: _____

OWNER INFORMATION:

Name: 398 Church LLC (George Lulaj)
Address: 642 Main St
Poughkeepsie N.Y. 12601
Phone: 917-807-8777
Email: GLULAJ@VATTED.COM

APPLICANT INFORMATION:

Name: GEORGE LULAJ
Address: 642 Main St
Poughkeepsie NY 12601
Phone: 917-807-8777
Email: GLULAJ@VATTED.COM

CONSULTANT INFORMATION:

Name: _____
Address: _____

Phone: _____
Email: _____

SUBJECT OF APPEAL

This application relative to the above referenced property constitutes an appeal from the decision, determination or violation of an official of the City of Poughkeepsie.

Name and title of agent: PETER NOCERINO

Date of decision/determination/violation: 3/23/2023

Please note that a copy of the communication must be attached with this application.

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION
PROPERTY ADDRESS: 398 Church St

AREA VARIANCE REQUESTS

All sections under this heading must be answered completely. Bear in mind that a variance is actually relief from the strict application of the requirements of the law (the Zoning Ordinance), and the Zoning Board of Appeals is required to give sound reasons, based on the criteria set forth in this application, for granting any such relief.

SECTION	REQUIRING/PROHIBITING	REQUESTED VARIANCE
<u>19-4.14(3)(a)</u>	<u>Fence no within 10 ft of</u> <u>Adjoining Property wall with window</u>	<u>A Fence with in 6-8 ft of</u> <u>wall with window</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

VARIANCE REQUEST JUSTIFICATION

Pursuant to Section 19-8.4 (2) (d) of the Zoning Ordinance, the Zoning Board of Appeals, in making its determination, shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such granting.

Bear in mind that a variance is actually relief from the strict application of the requirements of the law (the Zoning Ordinance), and the Zoning Board of Appeals is required by law to give sound reasons, based on the criteria set forth in this application, for granting any such relief. Please note that it is therefore incumbent upon the applicant to demonstrate to the Board that the criteria for the granting of the variance(s) are satisfied.

Responses to the following questions shall be attached to and submitted with the application.

- 1) Will the granting of the variance produce an undesirable change in the character of the neighborhood or be a detriment to nearby properties? If not, please explain why.
- 2) Can the benefit sought be achieved by some other method feasibly for the applicant to pursue, other than an area variance? Identify what alternatives to the variance, if any, have been explored (for example, alternative designs, purchasing of contiguous properties, etc.). Why is the variance necessary?
- 3) Is/are the requested area variance(s) substantial? Explain why they are not substantial.
- 4) Will the variance(s) have an adverse affect or impact on the physical or environmental conditions in the neighborhood or district? Why not?
- 5) Is the need for the area variance(s) the result of self-created difficulties on your part, or unique to the property? Explain.

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION
PROPERTY ADDRESS: 398 Church St

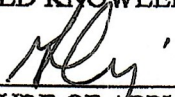
LIST OF REQUIRED ATTACHMENTS

1. Letter or communication which resulted in application to the ZBA.
2. Site or Plot Plan: Nine (9) copies.
3. Color photos of site conditions: Nine (9) copies
4. Complete Short EAF
5. Electronic file submission of the plot plan and color photos
6. Other attachments deemed pertinent by the applicant (please list):

SIGNATURE AND VERIFICATION

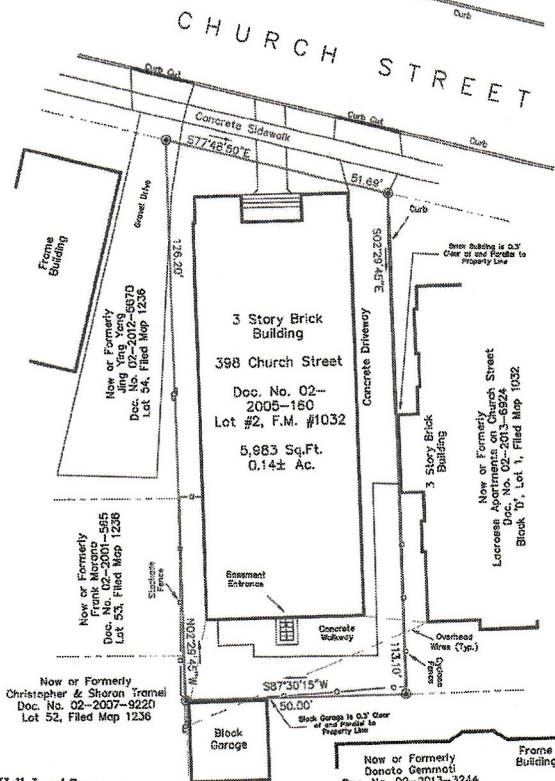
Please be advised that no application can be deemed complete unless signed below.

THE APPLICANT HEREBY STATES THAT ALL INFORMATION GIVEN IS ACCURATE AS OF THE DATE OF APPLICATION. THE APPLICANT, IF NOT THE OWNER OF THE PROPERTY, HEREBY SWEARS THAT THIS APPLICATION IS MADE WITH THE INFORMED KNOWLEDGE AND CONSENT OF THE OWNER.


SIGNATURE OF APPLICANT

3/23/2023
DATE

GEORGE LUKAS
Print Name



NOTES

1. Field location work performed on December 28, 2015, field check on January 5, 2017.
2. Surveyed as per maps and deeds filed and recorded in the Dutchess County Clerk's Office as noted hereon and as indicated possession.
3. Subject to rights-of-way, easements, covenants and restrictions of record, if any, and any statement of facts on accurate and up-to-date examination of title may reveal.
4. Underground improvements or encroachments, if any, are not shown hereon.
5. Unauthorized alteration or addition to a survey map bearing a Licensed Land Surveyor's seal is a violation of Section 7205, Subdivision 2 of the New York State Education Law.

CERTIFIED TO:

1. The Community Preservation Corporation, its successors and/or assigns.
2. CPC Funding SPE 1 LLC, its successors and/or assigns.
3. State of New York Mortgage Agency.
4. Comptroller of the State of New York as Trustee of the Common Retirement Fund.
5. First American Title Insurance Company.



Map of a Survey
for

398 Church Street LLC

City of Poughkeepsie
Scale: 1"=20'

Dutchess County, New York
January 6, 2017

Spencer S. Hall, Land Surveyor

NYS Lic. No.: 49138
6244 Route 82, Stanfordville, NY 12581
(845) 868-1262

Job No. 2332

Lulaj Realty & Property Management LLC
642 Main Street
Poughkeepsie, New York 12601
917-807-8777

July 14, 2023

398 Church LLC

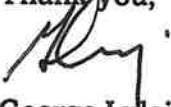
398 Church Street
Poughkeepsie NY 12601

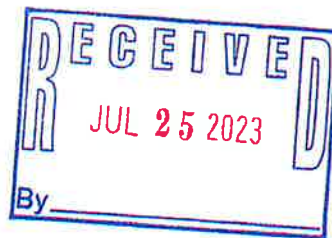
Legalizing Fence

When we purchased the building, the fence was already installed.

I would like to have the fence legalized because I keeps non tenants from entering the property and drug addicts from shooting up and smoking drugs in the driveway and back of the building, it also keeps the homeless from picking through the garbage cans and making a mess all over the driveway as well as sleeping in the back of the building, it deters people from dumping garbage from outside on my property. It is a safety issue for my tenants if the fence has to be removed because of the above-mentioned issues. I ask you for the safety of my tenants to please allow the fence to stay in place.

Thank you,


George Lulaj
President
LRPM



Lulaj Realty & Property Management LLC

642 Main Street

Poughkeepsie, New York 12601

917-807-8777



July 14, 2023

- 1) Will the granting of the variance produce an undesirable change in the character of the neighborhood or be a detriment to nearby properties?

The fence will not produce an undesirable change in character of the neighborhood and will not be a detriment to the nearby properties, it will keep the neighborhood safe from homeless accessing it to seek shelter and a place to use drugs and keep neighboring properties safe as well.

- 2) Can the benefit sought be achieved by some other method feasible for the applicant to pursue, other than an area variance?

NO the most feasible method is legalizing the fence to keep the building and surrounding properties safe from homeless using property as shelter and a place to use drugs.

- 3) Is/are the requested area variance substantial?

Yes it is substantial because if the fence is to be removed it will welcome homeless to use the property as shelter and give them a place to use drugs without being seen and cause a safety threat to the tenants and their children living in the building and neighboring buildings.

- 4) Will the variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district?

NO, I will keep the neighborhood safe and the neighboring buildings safe from homeless using the property for shelter and a place to use drugs.

- 5) Is the need for the area variance the result of self-created difficulties on your part, or unique to the property?

The need for the variance is for the Safety of all tenants in 398 Church Street and 400 Church Street. Without the variance the property would be over ran with homeless people seeking shelter and using drugs and would become a second location drug usage as is the corner of Main Street and Rose Street. I ask you to legalize the fence to keep the tenants and their families safe.



BUILDING DEPARTMENT

CITY OF POUGHKEEPSIE

62 CIVIC CENTER PLAZA, 2ND FLOOR

POUGHKEEPSIE, NY 12601

Phone: (845) 451-4007 Fax: (845) 451-4006

Eric Philipp
Building Inspector

July 21st, 2023

Amal Salameh
134 Tomahawk Street
Yorktown Heights NY 10598

RE: 196 Winnikee Avenue
ID: 497140
Application # BP-23-1192

To whom it may concern,

The Building Department has received your application # BP-23-1192 for change of use from a Single-family to a Two-family dwelling located at 196 Winnikee Avenue. Please be advised that the property at 196 Winnikee Avenue is located in an area of the City zoned Medium High-Density Residence District (R-4). Although Two-family dwellings are a permitted use per Section 19-3.15(2)(a)2, there are multiple zoning requirements that are not met due to the change of use which are as follows;

1. Section 19-3.15(4)(a) requires a minimum lot area of 10,000sf for Two-family dwellings; this lot is only 8,150sf.
2. Section 19-3.15(4)(e) requires a minimum side yard of 6' for Two-family dwellings; the left side yard is only 1.5'.

Therefore, your application is hereby denied. You may appeal the terms of this denial to the Zoning Board of Appeals within thirty (30) days of the date of denial.

If you have any questions, you can reach me at 845-451-4273

Very truly yours,
Joseph O'Brien
Deputy Zoning Administrator







**THE CITY OF POUGHKEEPSIE
NEW YORK**

PLANNING & ZONING
62 CIVIC CENTER PLAZA, 2ND FLOOR
POUGHKEEPSIE, NY 12601
Phone: (845) 451-4055 Fax: (845) 451-4006

FEE: \$350.00
CODE: A2112
ID# _____
IPS# _____

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION

PROPERTY ADDRESS: 196 Winnick Avenue, Poughkeepsie NY 12601
ZONING DISTRICT: R-4 - Medium High Density

OWNER INFORMATION:

Name: Amal and MOHAMAD SALAMEH.
Address: 134 Tomahawk Street, Yorktown Heights,
NY 10598
Phone: 914-349-7740.
Email: amalhassanen6@gmail.com.

APPLICANT INFORMATION:

Name: MI Design
Address: 67-07 Roosevelt Avenue, Queens, NY 11377.
Phone: 646-724-6424.
Email: Mislam@midesignllc.com

CONSULTANT INFORMATION:

Name: MI Design
Address: 67-07 Roosevelt Avenue, Queens, NY 11377.
Phone: 646-724-6424.
Email: Mislam@midesignllc.com.

SUBJECT OF APPEAL

This application relative to the above referenced property constitutes an appeal from the decision, determination or violation of an official of the City of Poughkeepsie.

Name and title of agent: _____

Date of decision/determination/violation: _____

Please note that a copy of the communication must be attached with this application.

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION
PROPERTY ADDRESS: 196 Winnikee Avenue, Poughkeepsie, NY 12601

AREA VARIANCE REQUESTS

All sections under this heading must be answered completely. Bear in mind that a variance is actually relief from the strict application of the requirements of the law (the Zoning Ordinance), and the Zoning Board of Appeals is required to give sound reasons, based on the criteria set forth in this application, for granting any such relief.

SECTION	REQUIRING/PROHIBITING	REQUESTED VARIANCE
<u>19-3.15(4)(a).</u>	<u>Min. Lot Area = 10,000 SF.</u>	<u>1,850 SF.</u>
<u>19-3.15(4)(e)</u>	<u>Min. Single Side Yard = 6 Ft.</u>	<u>4.5 Ft.</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

VARIANCE REQUEST JUSTIFICATION

Pursuant to Section 19-8.4 (2) (d) of the Zoning Ordinance, the Zoning Board of Appeals, in making its determination, shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such granting.

Bear in mind that a variance is actually relief from the strict application of the requirements of the law (the Zoning Ordinance), and the Zoning Board of Appeals is required by law to give sound reasons, based on the criteria set forth in this application, for granting any such relief. **Please note that it is therefore incumbent upon the applicant to demonstrate to the Board that the criteria for the granting of the variance(s) are satisfied.**

Responses to the following questions shall be attached to and submitted with the application.

- 1) Will the granting of the variance produce an undesirable change in the character of the neighborhood or be a detriment to nearby properties? If not, please explain why.
- 2) Can the benefit sought be achieved by some other method feasibly for the applicant to pursue, other than an area variance? Identify what alternatives to the variance, if any, have been explored (for example, alternative designs, purchasing of contiguous properties, etc.). Why is the variance necessary?
- 3) Is/are the requested area variance(s) substantial? Explain why they are not substantial.
- 4) Will the variance(s) have an adverse affect or impact on the physical or environmental conditions in the neighborhood or district? Why not?
- 5) Is the need for the area variance(s) the result of self-created difficulties on your part, or unique to the property? Explain.

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION
PROPERTY ADDRESS: 196 Wilmikee Avenue, Poughkeepsie, NY 12601

LIST OF REQUIRED ATTACHMENTS

1. Letter or communication which resulted in application to the ZBA.
2. Site or Plot Plan: Nine (9) copies.
3. Color photos of site conditions: Nine (9) copies
4. Complete Short EAF
5. Electronic file submission of the plot plan and color photos
6. Other attachments deemed pertinent by the applicant (please list):

SIGNATURE AND VERIFICATION

Please be advised that no application can be deemed complete unless signed below.

THE APPLICANT HEREBY STATES THAT ALL INFORMATION GIVEN IS ACCURATE AS OF THE DATE OF APPLICATION. THE APPLICANT, IF NOT THE OWNER OF THE PROPERTY, HEREBY SWEARS THAT THIS APPLICATION IS MADE WITH THE INFORMED KNOWLEDGE AND CONSENT OF THE OWNER.

Muhammad Islam
SIGNATURE OF APPLICANT

07-26-2023
DATE

Mohammed Islam
Print Name

MI DESIGN LLC

67-07 ROOSEVELT AVENUE, QUEENS NY 11377

MISLAM@MIDESIGNLLC.COM

Jul 26, 2023

City of Poughkeepsie: Planning and Zoning
62 Civic Center Plaza, 2nd Floor
Poughkeepsie, NY 12601

RE: 196 WINNIKEE AVENUE: VARIANCE REQUEST JUSTIFICATION

To the Members of the Zoning Board of Appeals,

1. Will the granting of the variance produce an undesirable change in the character of the neighborhood or be a detriment to nearby properties?

No, the requested variances will not cause undesirable change in the character of the neighborhood or become a detriment to the nearby properties. The current property and building conditions are all existing.

2. Can the benefit sought be achieved by some other method feasibly for the applicant to pursue, other than an area variance? Identify what alternatives to the variance, if any, have been explored. Why is the variance necessary?

No, the variances requested are required to achieve a legal 2-family status. The building is existing and the requested variances are to rectify what has already been built by a previous owner of the property. Other methods and strategies would require an excessive investment beyond what is capable and will reduce the overall value of the property.

3. Is/are the requested area variance(s) substantial? Explain why they are not substantial.

No, these are the most minimal amount of variances required for this property. One of which is an uncontrollable request due to the building being an existing condition.

4. Will the variance(s) have an adverse affect or impact on the physical or environmental conditions in the neighborhood or district? Why not?

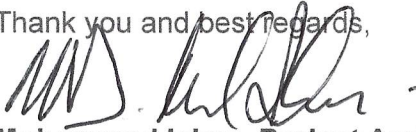
No, the building will not impact the physical or environmental conditions in the neighborhood or district. The building will have an upgraded mechanical, electrical and insulation system which will use less energy and retain heating and cooling within the building. The building is not expanding to cause an impact to the physical environment.

5. Is the need for the area variance(s) the result of self-created difficulties on your part, or unique to the property? Explain.

This is unique to the property, since the building and the use of the building were built prior to this process. The owners have bought this property with the building in as-is condition. The building was built and added onto by the previous owner/(s). The building was also built as a 2-family residence but there aren't any records of it being processed through the building department.

Please contact me if there are any other concerns.

Thank you and best regards,

A handwritten signature in black ink, appearing to read 'M. Islam', written over the text 'Thank you and best regards,'.

Mohammed Islam, Project Architect

196 WINNIKEE AVENUE
POUGHKEEPSIE, NY 12601

WORK TYPE: GENERAL CONSTRUCTION, PLUMBING, ELECTRICAL

ALTERATION LEVEL 2 W/ CHANGE OF USE FROM 1- TO 2-FAMILY RESIDENCE

SCOPE:

1. INTERIOR RENOVATION OF EXISTING BUILDING.
2. NEW STEPS AND LANDINGS AT FRONT AND REAR OF BUILDING.
3. PROPOSED CONVERSION FROM 1-FAMILY TO 2-FAMILY BUILDING.
4. PROPOSED OUTDOOR OFF-STREET PARKING.

*** NO CHANGE IN EGRESS HAS BEEN PROPOSED ON THESE PLANS SUBMITTED

1.	T-100.00 - TITLE SHEET, DRAWING LIST, ZONING, PLOT PLAN
2.	T-101.00 - FEMA MAPS
3.	L-100.00 - LANDSCAPE PLAN, NOTES AND DETAILS
4.	G-100.00 - GENERAL NOTES
5.	G-101.00 - GENERAL NOTES & CODE COMPLIANCE NOTES, ENERGY ANALYSIS, LIGHT AND VENTILATION CALCULATION, DOOR AND WINDOW SCHEDULE
6.	EC-100.00 - EXISTING CONDITIONS
7.	EC-101.00 - EXISTING CONDITIONS
8.	D-100.00 - DEMOLITION PLANS
9.	S-100.00 - PROPOSED STRUCTURAL PLANS
10.	S-101.00 - PROPOSED STRUCTURAL PLANS AND DETAILS
11.	E-100.00 - ELECTRICAL NOTES AND PLAN
12.	E-101.00 - ELECTRICAL PLANS
13.	A-100.00 - PROPOSED PLANS
14.	A-101.00 - PROPOSED PLAN, WALL SECTION AND FLOOR/CEILING DETAILS
15.	A-200.00 - PROPOSED ELEVATIONS
16.	A-201.00 - PROPOSED ELEVATIONS
17.	A-300.00 - BUILDING SECTION AND SECTION DETAILS

FLOOD ZONE NOTE:

1. FLOOD ZONE LOCATION IS IN REFERENCE TO MAP NUMBER 3602700358E OF THE "FIRM", FLOOD INSURANCE RATE MAP, FOR DUTCHESS COUNTY, NEW YORK. EFFECTIVE DATE OF THE MAP USED IS MAY 2ND, 2012.
2. THE EXISTING SITE IS LOCATED IN FLOOD ZONE -A.
3. ZONE-A IS INDICATED AS A 100-YEAR FLOOD ZONE ALSO KNOWN AS A SPECIAL FLOOD ZONE WITH A 1% ANNUAL CHANCE OF FLOOD.
4. ZONE-A DOES NOT HAVE A DESIGN FLOOD ELEVATION.
5. THE BUILDING DEPARTMENT OF THE CITY OF POUGHKEEPSIE IS TO DETERMINE DESIGN FLOOD ELEVATION FROM HISTORICAL RECORDS AND/OR THROUGH CURRENT RECORDS OF FLOODING, STORMWATER LEVELS, ETC.
6. ELEVATION CERTIFICATION HAS BEEN PROVIDED BY "C.T. MALE ASSOCIATES".

INTERNATIONAL RESIDENTIAL CODE of NEW YORK
STATE 2020

TO THE BEST OF MY KNOWLEDGE, BELIEF AND PROFESSIONAL JUDGEMENT. THESE
PLANS AND SPECIFICATIONS ARE IN COMPLIANCE WITH THE INTERNATIONAL
RESIDENTIAL CODE of NEW YORK STATE 2020

ENERGY CONSERVATION CONSTRUCTION CODE of
NEW YORK STATE 2020 EDITION & NYSTRETCH
ENERGY CODE 2020

TO THE BEST OF MY KNOWLEDGE, BELIEF AND PROFESSIONAL JUDGEMENT. THESE
PLANS AND SPECIFICATIONS ARE IN COMPLIANCE WITH THE ENERGY
CONSERVATION CODE of NEW YORK STATE 2020; CHAPTER R4

SMOKE DETECTOR / CO DETECTOR NOTES

1. ROOMS / SPACES WITH SM/CO DETECTOR INDICATED ON PLAN SHALL BE CHECKED IF EXIST. HARD WIRED DETECTOR EXISTS.
2. IF NONE – CONTRACTOR SHALL PROVIDE CODE COMPLIANT SMOKE / CARBON MONOXIDE COMBINATION DETECTOR HARD WIRED TO EACH OTHER w/ BATTERY BACKUP.
3. INSTALL ALL AS PER MANU. Spec.'s
4. SMOKE DETECTOR AND CARBON MONOXIDE DETECTOR IN COMPLIANCE WITH THE INTERNATIONAL RESIDENTIAL CODE OF NEW YORK STATE 2020: CHAPTER 3 SECTION R314

UNAUTHORIZED ALTERATIONS OR ADDITIONS TO THIS
DRAWING IS A VIOLATION OF SECTION 7209 (2) OF
THE NEW YORK STATE EDUCATION LAW.

ZONING TABLE				
SECTION,BLOCK AND LOT: 131300-6162-80-481124				
CITY OF POUGHKEEPSIE, NY ZONE: R-4				
DESIGNATION	REQUIRED	EXISTING	PROPOSED	VARIANCE
PERMITTED USES	PERMITTED BY RIGHT	SINGLE-FAMILY	TWO-FAMILY	
LOT AREA (SF)	2-FAMILY OR MORE = 10,000 SF	8,150 SF / 0.1871 ACRES	-	YES
MAX. LOT COVERAGE	40% = 3,260 SF	1,504.66 = 18%	1,153.45 = 14.1%	-
MIN. LOT WIDTH	50 Ft	55' - 0"	-	-
MIN. LOT FRONTAGE	30 Ft	55' - 0"		
FRONT YARD SETBACK	20 Ft	4' - 3"	10' - 0"	-
REAR YARD SETBACK	15 Ft	118' - 9"	118' - 9"	-
SIDE YARD SETBACK	EACH: 6 FT; TOTAL: 12 FT	1' - 6" / 13' - 10"	1' - 6" / 13' - 10"	YES - SINGLE SIDE YARD
MAX. HEIGHT OF PRINCIPAL	3 STORY OR 40 FT	2 1/2	2 ½	-
USABLE OPEN SPACE	400 SF	6,645.34 SF	6,996.55 SF	
PARKING SPACE	2 PER DWELLING	NA	4 SPACES	

a. MINIMUM REQUIRED SIDE AND REAR YARDS SHALL BE THE SAME AS THE R-3 DISTRICT [SECTION 19-314(4)], EXCEPT FOR MULTIFAMILY DWELLINGS WITH THREE (3) OR MORE DWELLING UNITS, WHICH YARDS SHALL BE COMPUTED AS FOLLOWS: THE DISTANCE FROM THE STRUCTURE TO PROPERTY LINE SHALL BE ONE HALF (1/2) TIMES THE HEIGHT OF THE STRUCTURE CLOSEST TO THE PROPERTY LINE OR FIFTEEN (15) FEET, WHICHEVER IS GREATER. THE DISTANCE BETWEEN BUILDINGS ON ONE (1) SITE SHALL BE TWO-THIRDS (2/3) OF THE HEIGHT OF THE TALLER BUILDING OR TWENTY-FIVE (25) FEET, WHICHEVER IS GREATER.

EXISTING IMPERVIOUS SURFACES	
FRONT STEPS AND 1-STORY FRAME	71.96 SF
FRONT STEPS AND WALKWAY	50 SF
2-STORY FRAME & 1-STORY FRAME AT REAR	1121.45 SF
ENCLOSED STEPS TO BASEMENT	32 SF
STEPS AT REAR FROM APT.1	28.3 SF
STEPS AT REAR FROM APT. 2	20.67 SF
CONCRETE PATIO AND STEPS	617.57 SF
MACADAM DRIVE	1551.89 SF
SHED 1	45.14 SF
SHED 2	126.78 SF
SHED 3	82.5 SF
SHED 4	0 SF
SHED 5	96.79 SF
CONCRETE WALKWAY	124 SF
TOTAL IMPERVIOUS AREA:	3969.05 SF

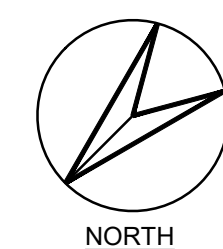
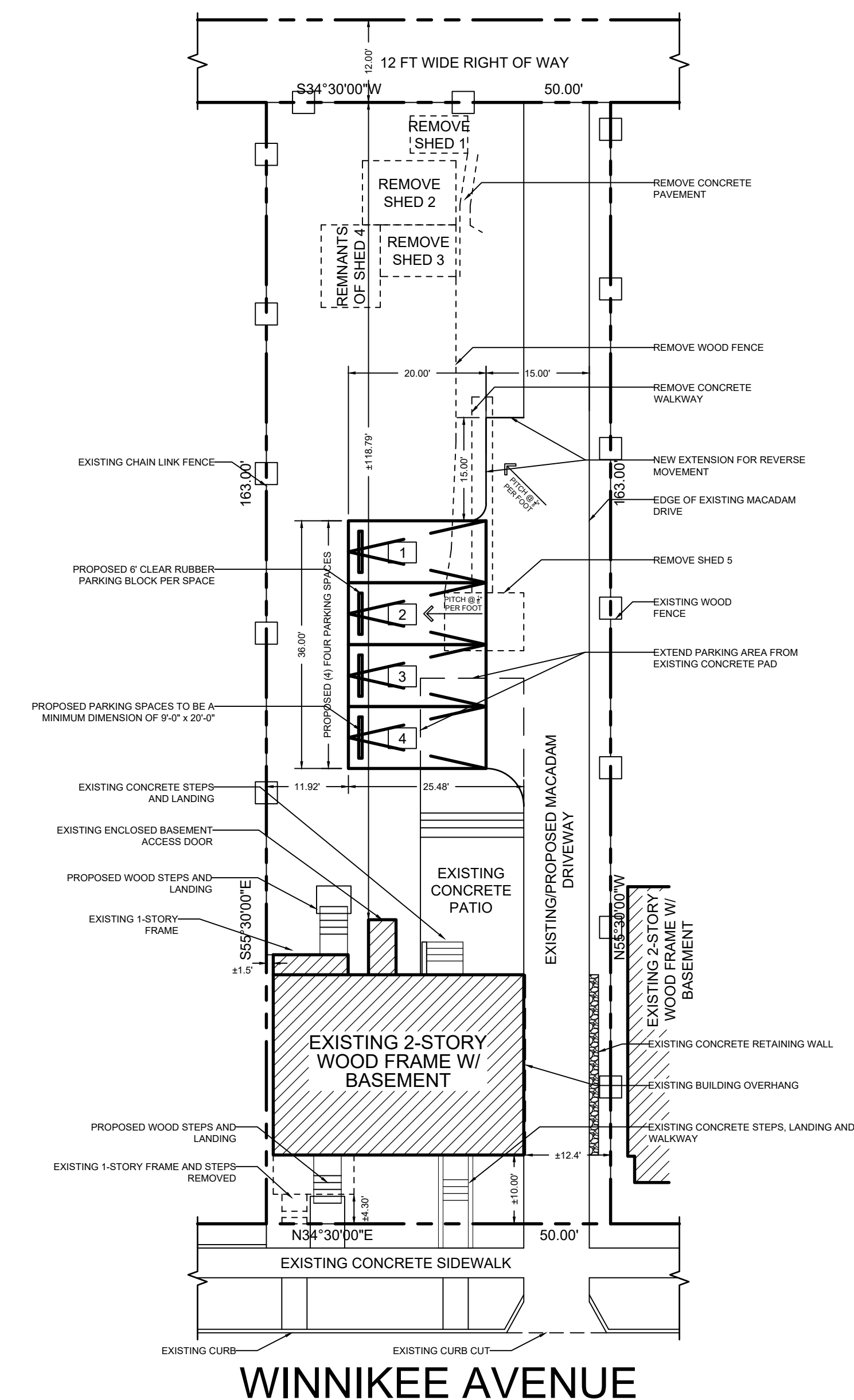
AFFECTED AREA OF SCOPE	
TOTAL EXISTING AREA	3,092.14 SF
TOTAL AFFECTED AREA	2,544.21 SF
TOTAL AFFECTED PERCENTAGE	82.27 %
TOTAL REMOVED AREA	106.64 SF
TOTAL REMOVED PERCENTAGE	3.44 %
TOTAL ADDED AREA	84.66 SF
TOTAL ADDED PERCENTAGE	2.73 %

- a. GROSS AREA IS CALCULATED FROM EXTERIOR FACE OF EXTERIOR WALLS, STEPS, LANDINGS, AND WALKWAYS CONNECTED TO BUILDING.
- b. AREAS OF BUILDING, STEPS, LANDINGS AND WALKWAYS LOCATED OUTSIDE OF THE PROPERTY LINE WERE NOT ADDED TO THE CALCULATIONS.

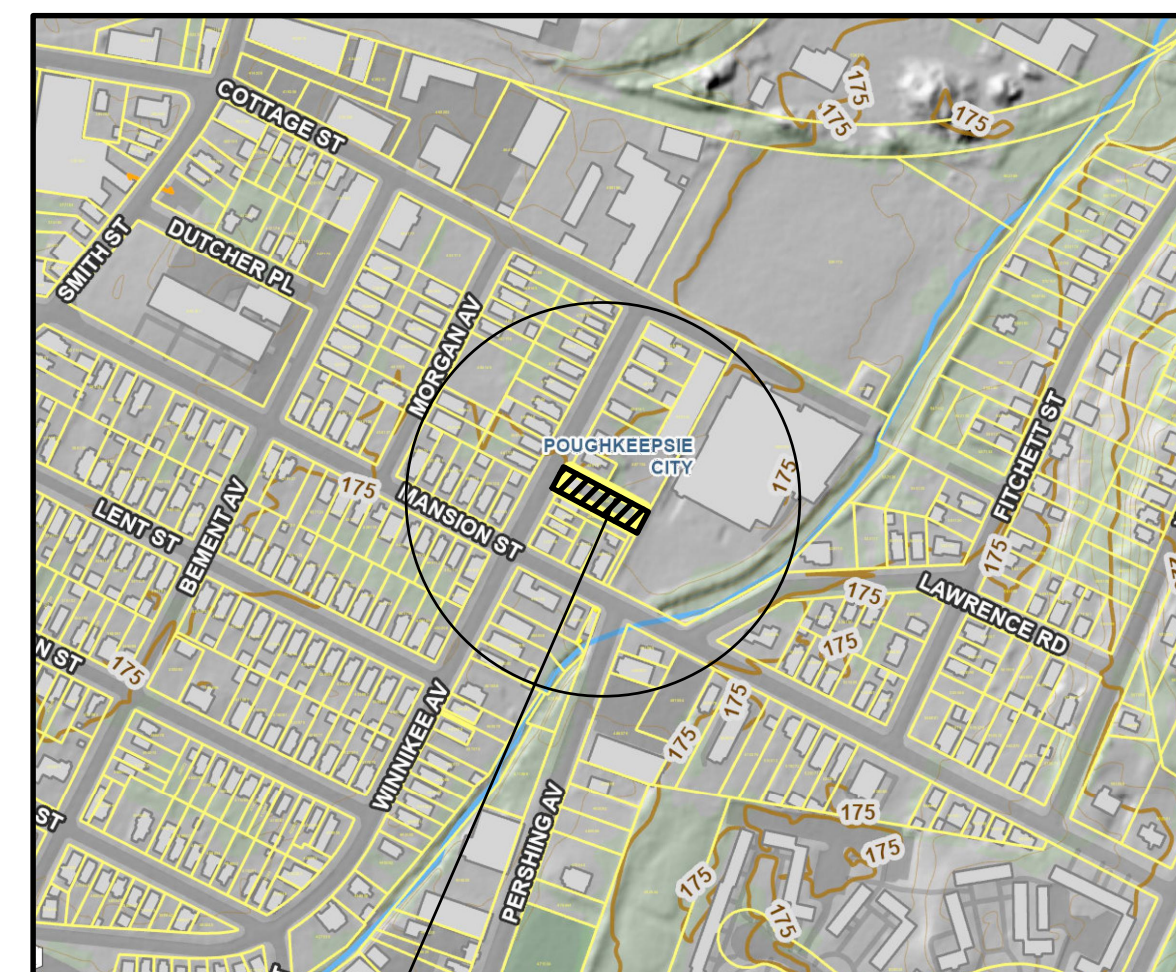
REMOVE IMPERVIOUS SURFACES	
FRONT STEPS AND 1-STORY FRAME	-71.96 SF
STEPS AT REAR FROM APT. 2	-20.67 SF
SHED 1	-45.14 SF
SHED 2	-126.78 SF
SHED 3	-82.5 SF
SHED 5	-96.79 SF
CONCRETE WALKWAY	-124 SF
TOTAL REMOVED IMPERVIOUS AREA:	567.84 SF
TOTAL IMPERVIOUS AREA:	3401.21 SF

ADDED IMPERVIOUS SURFACES	
MACADAM DRIVE	803.74 SF
TOTAL ADDED IMPERVIOUS AREA:	803.74 SF
TOTAL PROPOSED IMPERVIOUS AREA:	4204.95 SF

PROPOSED MACADAM DRIVE
 36' X 10.5' = 378 SF
 22.83' X 15' = 342.45 SF
 5.5' X 15' = 82.5 SF
 378 SF + 342.45 SF + 82.5 SF = 802.95 SF X 3 INCH RAIN
 802.95 SF X 0.25 = 200.7375 FT³ X 7.5 / GAL = 1,505.53125 ~ 1,506 GAL



1 PLOT PLAN



AREA MAP
SCALE: N.T.S.



NOTES:

- 1) ALL UTILITIES SERVICING THE SUBJECT PROPERTY ARE EXISTING.
- 2) THIS IS NOT A SURVEY! ALL SURVEY INFORMATION SHOWN ON THIS SITE PLAN HAS BEEN TAKEN FROM A SURVEY MAP PREPARED BY "RAMSAY LAND SURVEYING, P.C." DATED FEBRUARY 22, 2023. THE ARCHITECT ASSUMES NO RESPONSIBILITY FOR ITS ACCURACY.



<u>ADDRESS:</u>	196 WINNIKEE AVENUE, POUGHKEEPSIE NY 12601
<u>SECTION/BLOCK/LOT:</u>	131300-6162-80-481124
<u>ZONE:</u>	R4 - MEDIUM HIGH DENSITY
<u>USE GROUP:</u>	PROPOSED 2-FAMILY
<u>OCCUPANCY:</u>	R3-RESIDENTIAL
<u>CONST. CLASS:</u>	5B
<u>FILING TYPE:</u>	ALT-2

CLIENT:
MOHAMED & AMAL SALAMEH
196 WINNIKEE AVENUE
POUGHKEEPSIE NY, 12601

ARCHITECTS:
MI DESIGN LLC
67-07 ROOSEVELT AVENUE
QUEENS NY 11377
646-724-6424

[illegible]

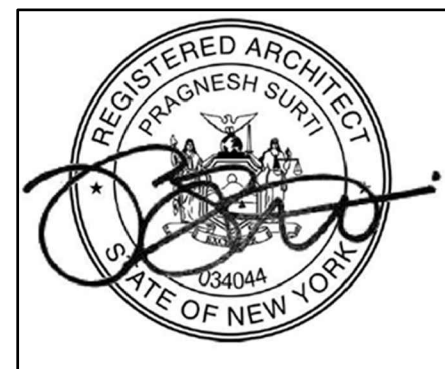
PROJECT NAME:

23-001

DRAWING TITLE:

TITLE SHEET, DRAWING LIST,
ZONING, PLOT PLAN

SEAL & SIGNATURE



BUILDING DEPARTMENT	DATE:	04 APRIL, 2024
	PROJECT NO:	23-001
	DRAWN BY:	1
	SCALE:	AS-NOTED
	DRAWING NO:	T-100.00
		01 OF 05

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

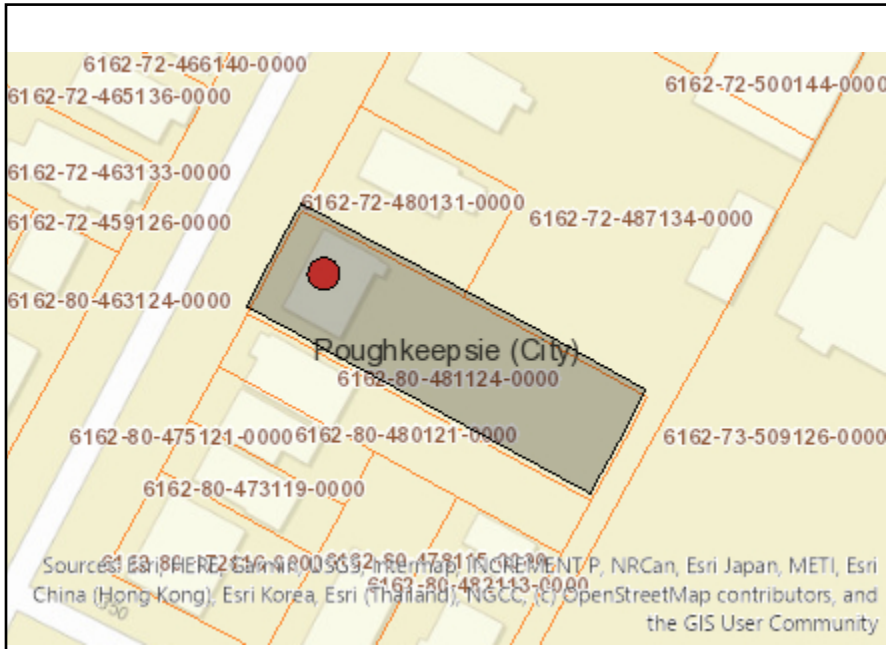
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project: 196 WINNIKEE			
Project Location (describe, and attach a location map): 196 WINNIKEE AVENUE, POUGHKEEPSIE, NY 12601			
Brief Description of Proposed Action: INTERIOR RENOVATION, CHANGE OF USE FROM 1-FAMILY TO 2-FAMILY RESIDENTIAL BUILDING, OFF-STREET PARKING PROVIDED AT REAR OF PROPERTY			
Name of Applicant or Sponsor: MOHAMMED ISLAM		Telephone: 646-724-6424 E-Mail: MISLAM@MIDESIGNLLC.COM	
Address: 67-07 ROOSEVELT AVENUE			
City/PO: QUEENS		State: NY	Zip Code: 11377
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO ☒
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			YES ☐
3. a. Total acreage of the site of the proposed action? _____ 0.1871 acres b. Total acreage to be physically disturbed? _____ 0.0054 acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 0.1871 acres			
4. Check all land uses that occur on, are adjoining or near the proposed action: 5. ☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☒ Commercial ☒ Residential (suburban) ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify): ☐ Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	☐	☒	☐
b. Consistent with the adopted comprehensive plan?	☐	☐	☒
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	☐	☒	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	☒	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	☒	☐	
b. Are public transportation services available at or near the site of the proposed action?	☒	☐	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☒	☐	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	☐	☒	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	☐	☒	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	☐	☒	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	☒	☐	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	☐	☒	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	☐	☒	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	☒	☐	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☒ Wetland ☐ Urban ☒ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	☒	☐
16. Is the project site located in the 100-year flood plan?	NO	YES
	☐	☒
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	NO	YES
	☐	☒
	☒	☐
	☐	☒
THE STORM DISCHARGE IS PROPOSED TO RUN-OFF INTO A PROPOSED LINE OF VEGETATION		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	☒	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	☒	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	☒	☐
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>MOHAMMED ISLAM</u> Date: <u>07-21-23</u> Signature: _____ Title: <u>PROJECT ARCHITECT</u>		



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	Yes
Part 1 / Question 20 [Remediation Site]	No



**THE CITY OF POUGHKEEPSIE
NEW YORK**

DEVELOPMENT DEPARTMENT
62 CIVIC CENTER PLAZA, 2ND FLOOR
POUGHKEEPSIE, NY 12601
Phone: (845) 451-4263 Fax: (845) 451-4006

MEMORANDUM

To: MI Design

From: Tyler Maegerle, Junior Planner

Date: 8/24/2023

Re: 196 Winnikee Avenue

Upon review of project materials provided by the applicant, including Short EAF Part 1 and site plan application, it is my understanding that the proposed action to be undertaken includes a change in use from a single family to two family dwelling.

Based on the above description it is the determination of the planning division that the proposed action is classified as Type II Action with regards to SEQRA pursuant to 6 NYCRR Section 617.5 (c)(9) "construction or expansion of a single-family, a two-family or a three-family residence on an approved lot including provision of necessary utility connections as provided in paragraph (13) of this subdivision and the installation, maintenance or upgrade of a drinking water well or a septic system, or both, and conveyances of land in connection therewith." The action is therefore not subject to further environmental review.

LETTER OF AUTHORIZATION

To whom it may concern:

I am Mohamad Salameh, the owner of 196 Winnikee Ave, I hereby authorise Mr Mohammad Islam the architect who works on my house located at 196 Winnikee Ave Poughkeepsie New York To complete the proposed work on the next Zoning board of appeals meeting in September/26/2023.

Thank you.

Signature:

A handwritten signature in black ink, appearing to read "Mohamad Salameh", followed by a period.

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT - THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY.

MORTGAGE NOTE

\$198,000.00

Yonkers, New York March 30, 2023

FOR VALUE RECEIVED, MOHAMAD K. SALAMEH, residing at 134 Tomahawk Street, Yorktown Heights, New York 10598,

promises to pay to SAMMY PROPERTIES, INC.,

or order, at 505 Gramatan Avenue, Mount Vernon, New York 10552,

or at such other place as may be designated in writing by the holder of this note, the principal sum of ONE HUNDRED NINETY-TWO THOUSAND SIX HUNDRED ----- (\$192,600.00) dollars, together with no interest thereon payable as follows: The sum of \$192,600.00 upon the sale of the property located at 196 Winnikee Avenue, Poughkeepsie, New York 12601, as more specifically set forth in Mortgage of even date, or on the 28th day of February, 2024, whichever date is sooner, when the entire principal balance then remaining unpaid, shall become wholly due and payable.

1. INTEREST COMPUTATION. All interest shall be charged and computed with respect to actual days elapsed on the basis of a 365-day year.
2. MATURITY. All principal and interest not sooner paid shall become due and payable, without notice or demand from the Lender on the 28th day of February, 2024 and the date on which the Premises at the address set forth above (or any part thereof) secured by the Mortgage are conveyed or transferred voluntarily or involuntarily, without the Lender's prior written consent.
3. DEFAULT RATE. Interest after default hereunder (whether or not such default is followed by the acceleration of this Note), and until such default has been cured or this Note has been paid in full (whether or not any judgment has been rendered therefor), shall be payable at the annual rate of twelve (12%) percent per annum.
4. PREPAYMENT. The Borrower may prepay this Note, in whole or in part at any time, without premium or penalty.
5. COSTS. The Borrower shall pay to the Lender all costs, expenses and reasonable attorney's fees incurred by the Lender in any attempt to collect or enforce the provisions of this Note after default under any or all of them (whether or not any formal action or proceeding is commenced), in any foreclosure of the Mortgage, or in any litigation or controversy arising from or connected with this transaction, without regard to any sums otherwise allowable by law in connection therewith. All sums becoming owing under this Paragraph shall be deemed part of the principal secured by the Mortgage, shall become payable five (5) days after the Lender's demand therefor, and shall earn interest from the date of the Lender's demand at the rate applicable after default under this Note.
6. In the event of a sale, transfer or any alienation of the mortgaged premises without the prior written consent of the mortgagees, the balance of the principal and interest then due shall become due and payable immediately at the option of the mortgagees or their assigns.
7. JURY TRIAL WAIVER. The Borrower and all other parties primarily or secondarily liable for the payment of this Note waive jury trial in any action or proceeding arising out of this transaction.
8. NOTICES. Notices hereunder shall be written, and delivered personally or mailed (by registered, certified or express mail, return receipt requested) to the parties at the respective addresses set forth above, or to such other address in New York as either may specify from time to time on notice of the other. Notices shall be deemed given upon receipt, provided that properly mailed registered, certified or express mail shall be considered received upon first attempted delivery on a business day.
9. SUCCESSORS AND ASSIGNS. Whenever the term "Lender" or "Borrower" is used herein it shall be deemed to include also the personal representatives, successors and assigns of the Lender or the Borrower, as the case may be. References herein to the Lender shall, unless the context clearly requires otherwise, be deemed to refer to the holder of this Note from time to time.
10. GOVERNING LAW. This Note shall be governed by the laws of the State of New York.
11. WAIVER; AMENDMENT. The Lender's failure to insist on rigorous compliance with any provision of this Note shall not preclude it from subsequently insisting on rigorous compliance, and no waiver of any of the Lender's rights or remedies hereunder shall be established except by written instrument signed by the Lender. This Note may not be changed or terminated orally, but only in writing.

IT IS EXPRESSLY AGREED, that the said principal sum secured by this note shall become due at the option of the holder thereof on the happening of any default or event by which, under the terms of the mortgage securing this note, said principal sum may or shall become due and payable; also, that all of the covenants, conditions and agreements contained in said mortgage are hereby made part of this instrument.

See Amortization Schedule attached hereto and made a part hereof.

Presentment for payment, notice of dishonor, protest and notice of protest are hereby waived.

This note is secured by a mortgage made by the maker to the payee of even date herewith, on property situate in the **City of Poughkeepsie, County of Dutchess and State of New York**, as more specifically set forth in Mortgage of even date.

This note may not be changed or terminated orally.


MOHAMAD K. SALAMEH

STATE OF NEW YORK,
COUNTY OF WESTCHESTER ss:

State, District of Columbia, Territory, Possession,
or Foreign Country, ss:

On the 30th day of March, in the year 2023, before me, the undersigned, personally appeared **MOHAMAD K. SALAMEH**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

On the _____ day of _____ in the year _____, before me, the undersigned, personally appeared _____ personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument, and that such individual made such appearance before the undersigned in the _____ the city or other political subdivision and the state of _____ or country or other place the acknowledgment was taken).


Signature and Office of individual
taking acknowledgment

Steven T. Wieder
Notary Public, NYS
No. 02WI5083802
Qualified in Westchester County
Term expires 8/25/2023

Signature and Office of individual
taking acknowledgment

MORTGAGE NOTE

SECTION	6162
BLOCK	80
LOT	481124
COUNTY	DUTCHESS
CITY	POUGHKEEPSIE

TITLE NO. MAC-13367 (MAJOR ABSTRACT CORP.)

MOHAMAD K. SALAMEH

**POUGHKEEPSIE
196 WINNIKEE AVENUE
POUGHKEEPSIE, NEW YORK 12601**

To

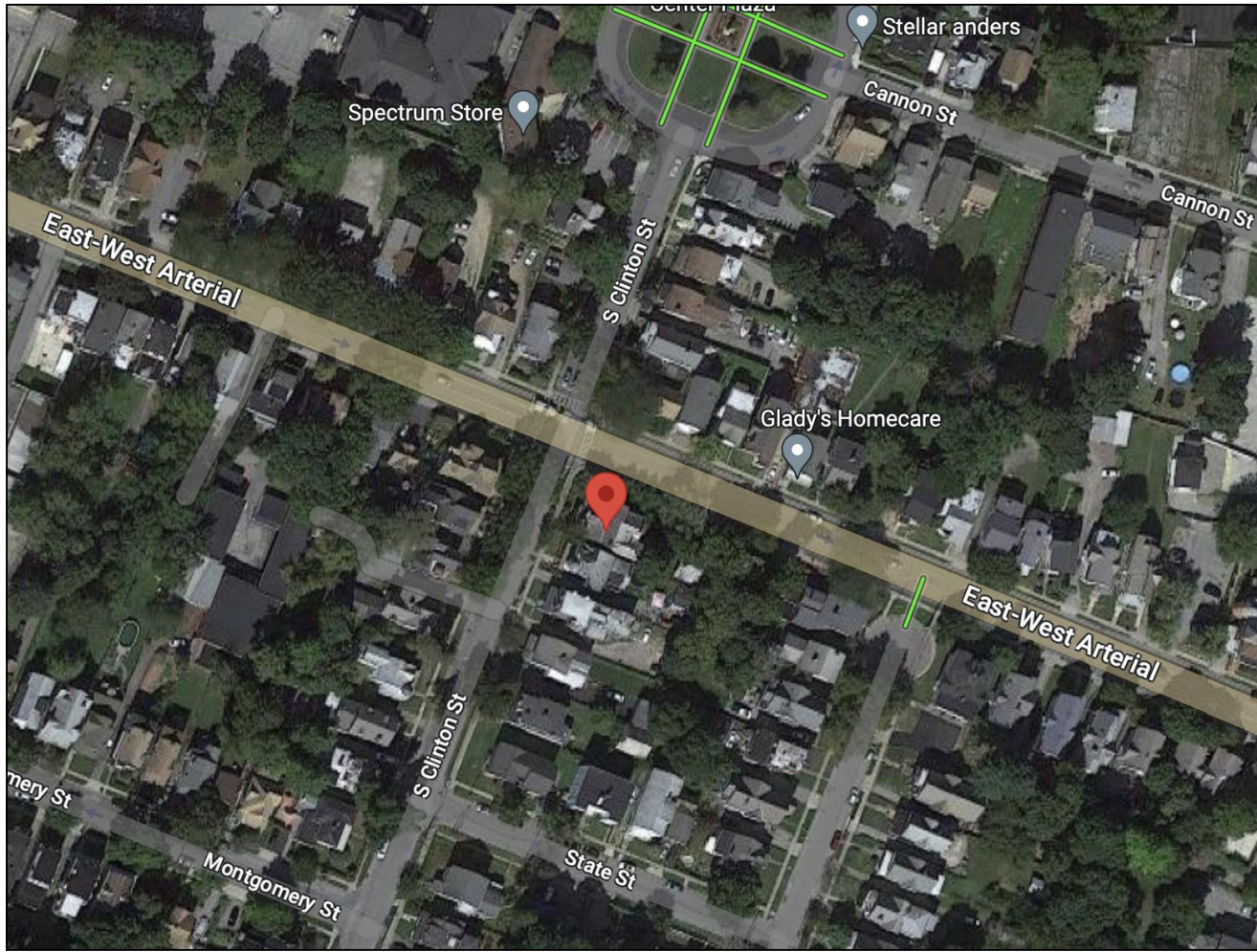
SAMMY PROPERTIES, INC.

RECORD AND RETURN BY MAIL TO:

SAMMY PROPERTIES, INC.
505 Gramatan Avenue
Mount Vernon, New York 10552



2 PARCEL MAP - LOT# 458149
SCALE: N.T.S.

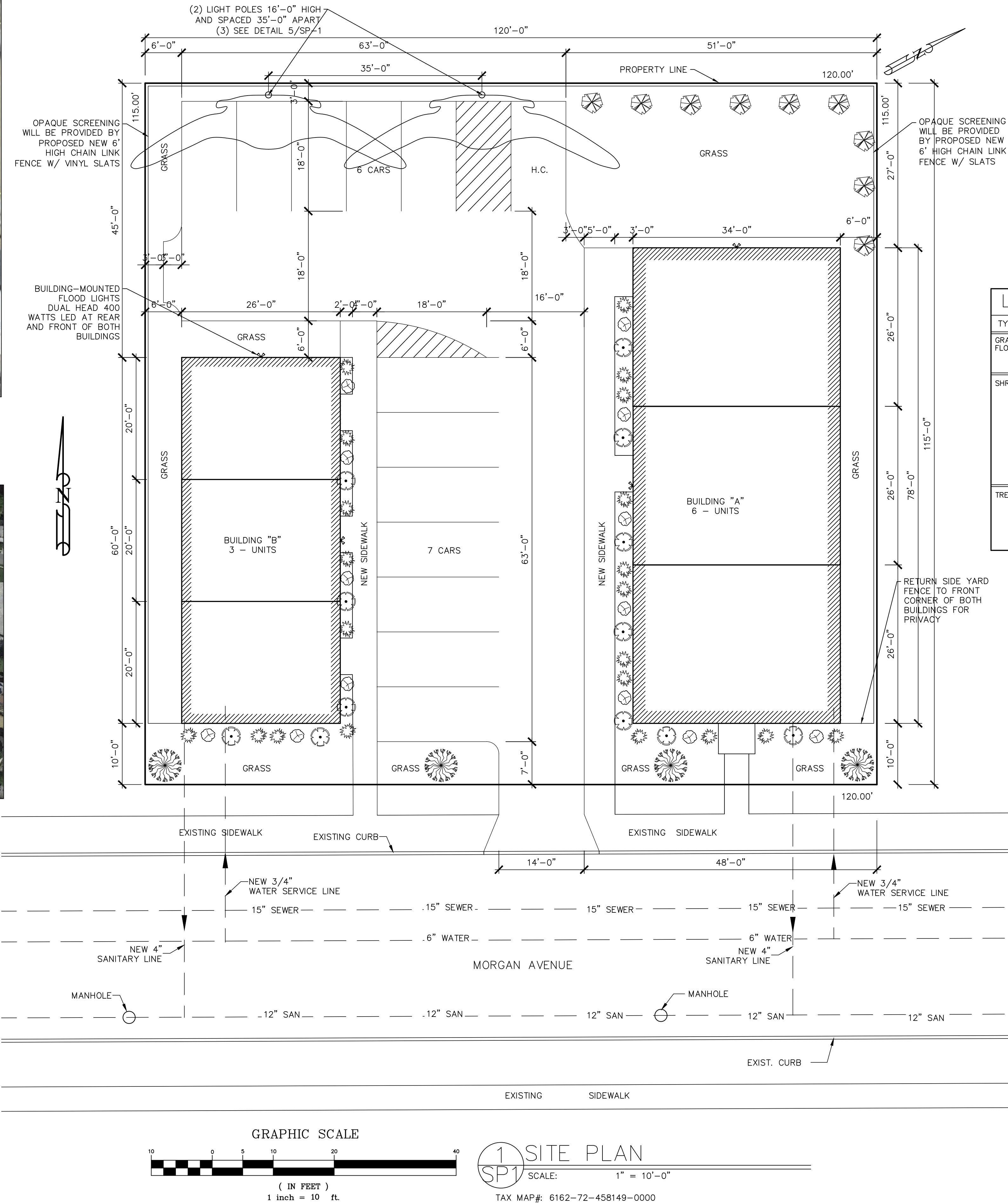


3 AERIAL VIEW
SCALE: N.T.S.

DATA TABLE		
ZONE R-4 MEDIUM HIGH DENSITY RESIDENTIAL DISTRICT		
	REQUIRED	PROPOSED
LOT AREA	(4,000 SF. / UNIT)	0.317 Ac. (13,800 SF.)
LOT WIDTH	30 FT.	120 FT.
LOT DEPTH	115 FT.	115 FT.
LOT FRONTAGE	30 FT.	120 FT.
LOT COVERAGE (BUILDING)	40 %	30.5 %
OPEN SPACE	3,600 SF	7,131 SF
YARDS		
FRONT	20 FT.	10 FT.
SIDE	15 FT.	6'/6"
REAR	15 FT.	27 FT.
BUILDING HEIGHT	3 / 40 FT.	2/26 FT. +/-
BUILDING AREA		4,212 SF
TOTAL PARKING		
2 CARS / UNIT	18 CARS	13 CARS

GENERAL NOTES:

- OWNER / APPLICANT: 21st CENTURY LIVING, LLC
10 FITCHETT STREET
POUGHKEEPSIE, NY. 12601
- ARCHITECT: CIRO INTERRANTE, ARCHITECT
25 MARKET STREET, SUITE 3
POUGHKEEPSIE, NY 12601
- ZONING DATA: ZONING DISTRICT: R4
MEDIUM HIGH-DENSITY RESIDENTIAL
TAX MAP: 6162-72-458149-0000
- MAP REFERENCE: PROPERTY LINE INFORMATION TAKEN
FROM DUTCHESS
COUNTY PARCEL ACCESS



1 SITE PLAN
SCALE: 1" = 10'-0"

TAX MAP#: 6162-72-458149-0000



4 GOOGLE STREET VIEW
SCALE: N.T.S.

LANDSCAPING SCHEDULE					
TYPE	SYMBOL	QUANTITY	COMMON NAME	MATURE WIDTH	MATURE HEIGHT
GRASS / FLOWER	DFG	21	DWARF FOUNTAIN GRASS (HAMELN)	2' - 3'	2' - 3'
SHRUBS	GFS	0	GOLD FLAME SPIREA	3' - 4'	3'
	RBB	12	ROYAL BURGUNDY BARBERRY (JAPANESE)	3'	2'
	MCS	13	MAGIC CARPET SPIREA	2' - 4'	1'-6"
TREES	LL	9	LILAC	2' - 3'	10'
	SM	4	SUGAR MAPLE	6' - 0"	

PK150

LED Light Pole Kit with Single 150 Watt LED Light

Job: _____ State: _____ Client Name: _____

Job Site: _____ Approvals: _____ Date: _____

Notes: _____

Commercial-grade LED Light Pole Assembly Includes:
Square steel light pole, Single LED light complete with mounting bracket and hardware, set of anchor bolts and a base cover.

Light Pole:
Pole Shaft: 4 inch square 11 gauge (15 ft. and 20 ft.) and 7 gauge (25 ft.) commercial grade steel with minimum yield strength of 55,000 psi
Pole Height: Standard pole height is 15 ft. Optional heights are 20ft. and 25 ft.
Custom heights are also available.

Anchor Bolts: A set of 4 galvanized steel anchor bolts is provided.
Each anchor bolt includes 2 nuts and 2 washers.
Bolt Circle: 8-1/2" (Bolt Circle range: 8" - 12")
Handhole: Handhole is located 18" above the base plate. A 3" X 6" steel handhole cover is included.
Color: Dark Bronze

Base Cover: ABS Plastic base cover with rivets.

LED Fixture:
Material: Aluminum construction with integrated fins to maximize heat dissipation.
Color: Dark Bronze.

Power: 150 Watts
Lumens: 25,500
Lumens/Watt: 170
Voltage: 120-277 Volt standard.
240-480 Volt option as special order.
Amps: 1.31 @ 120V/0.57 @ 277V.
Color Temperature: 5000K standard. 4000K and 3000K options as special order.
Light Distribution: Type 3 standard. Type 4 and Type 5 options as special order.
Photocell: Photocell is optional.
Dimming: 0-10V Dimming Capable. Dimming control not provided (field install).
UL Listing: UL Listed for Wet Locations.
DLC Listing: DLC Premium.
IP Rating: IP66
EPA Rating: 0.55
Warranty: 5 Years.
Weight: 10 lbs.

Total Power (Watts)	Total Lumens	Total Amps	Max Wind Rating
150	25,500	1.31 0.57	140 mph

LED Fixture Bottom View

LED Fixture Top View

Base Plate

Anchor Bolt

Disclaimer: All dimensions and specifications are subject to change without any notice. Light Pole Foundation should be designed by an engineer familiar with soil and wind conditions as well as local code where the light pole will be installed.

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5 LIGHTING DETAILS
SCALE: N.T.S.

OWNER'S CONSENT

THE UNDERSIGNED OWNER OF THIS PROPERTY HEREON STATES THAT HE/SHE IS FAMILIAR WITH THIS MAP, ITS CONTENTS AND ITS LEGENDS AND HEREBY CONSENTS TO ALL SAID TERMS AND CONDITIONS AS STATED HEREON.

APPLICANT: _____ DATE: _____

APPROVAL BLOCK

Revisions	GENERAL REVISIONS	Date:	Description:
No. 1	8/18/23		

CIRO INTERRANTE ARCHITECT P.C.

25 MARKET STREET
POUGHKEEPSIE, NEW YORK 12601
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(845) 473-7525 Fax

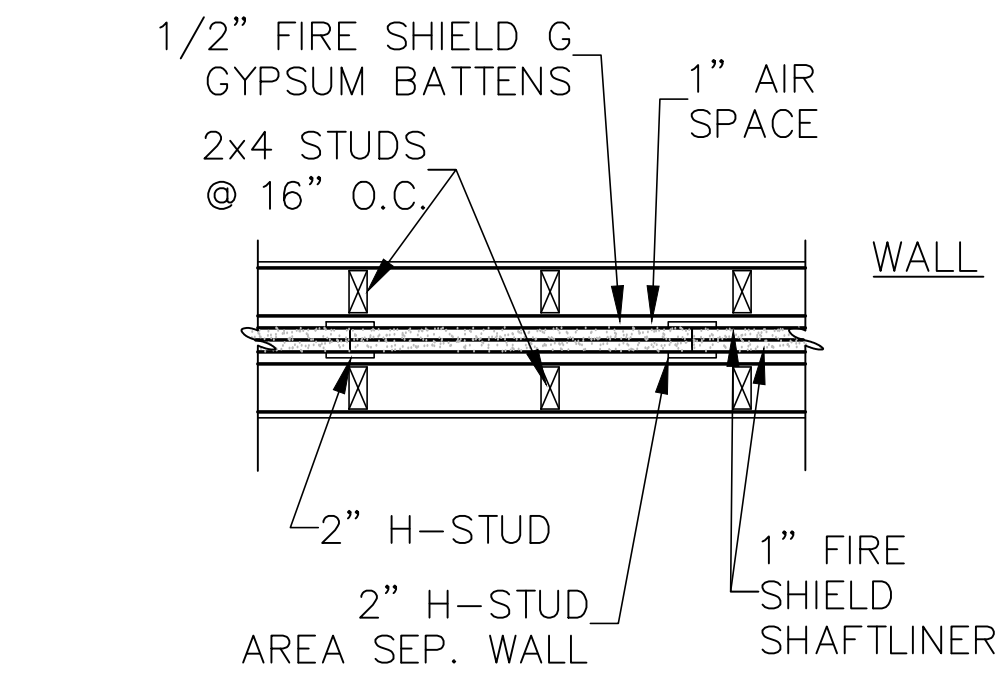
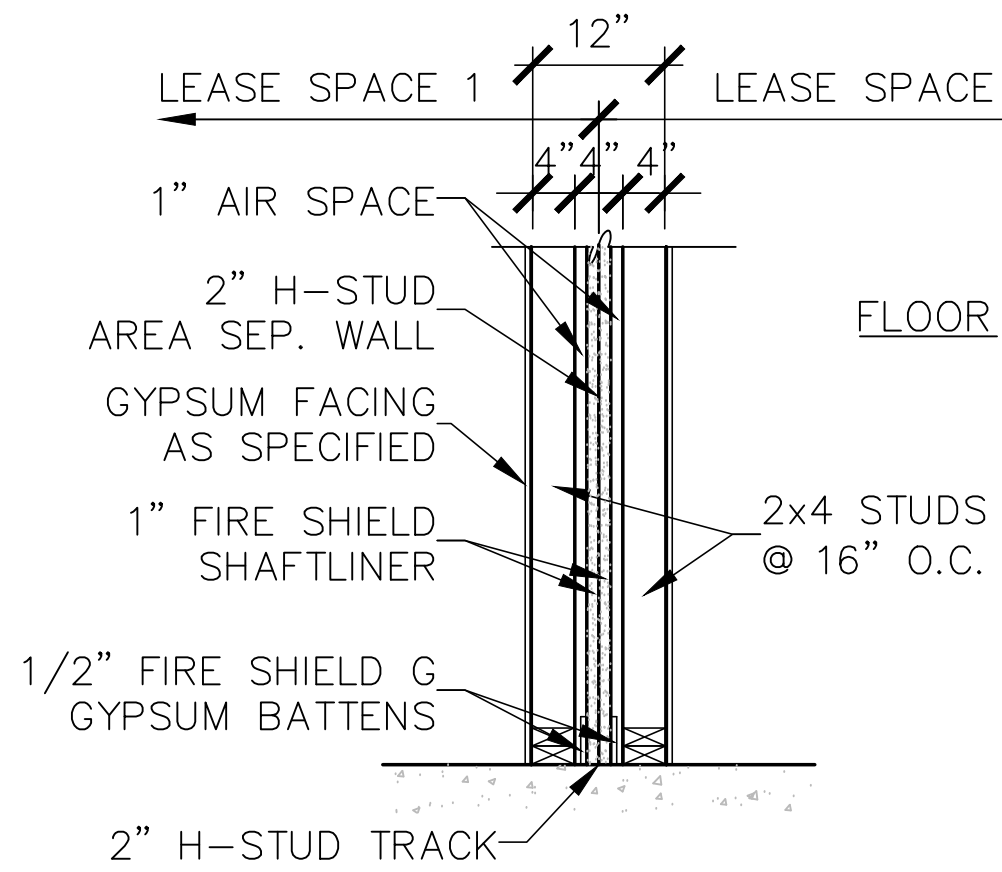
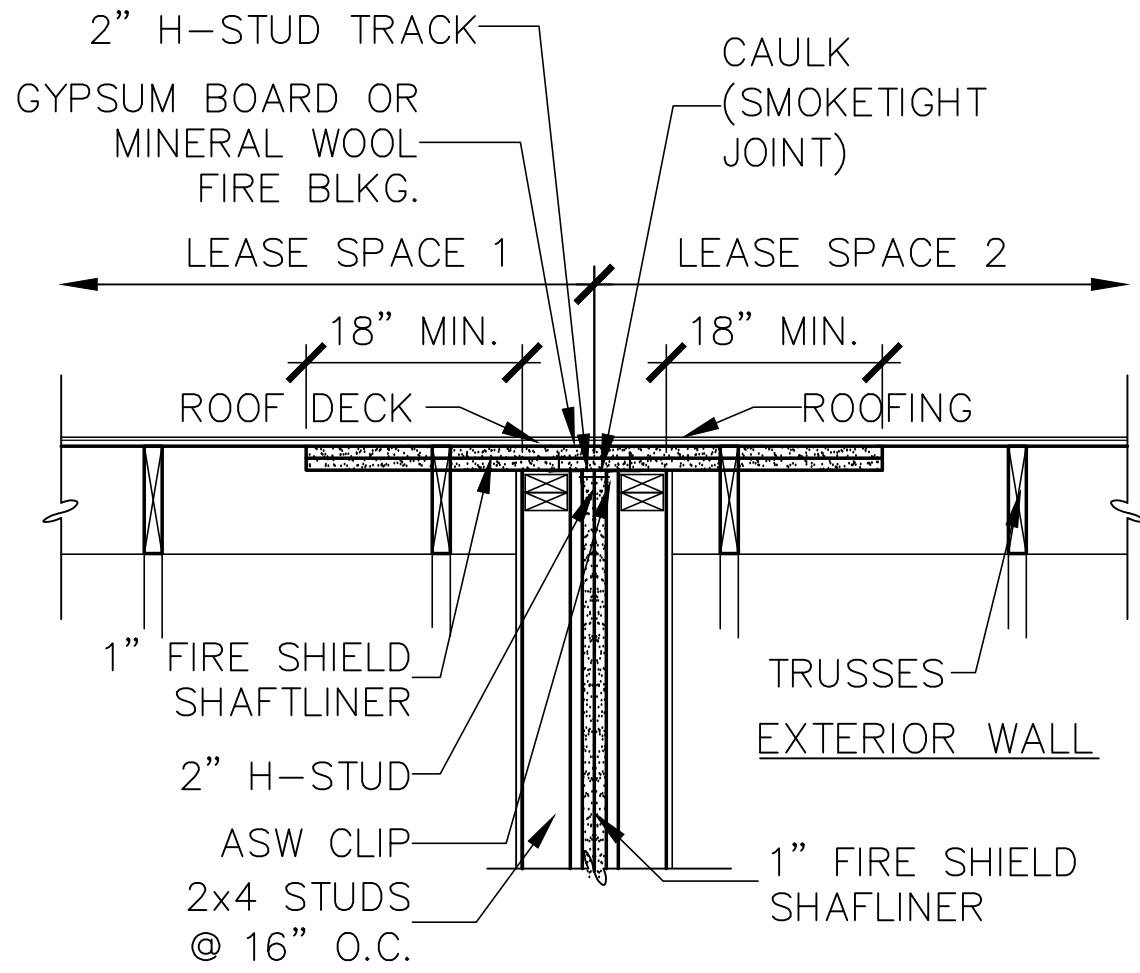
ISSUED DATE: 07-17-2023
CHECKED BY: C.I.
DRAWN BY: D.H.

SITE PLAN

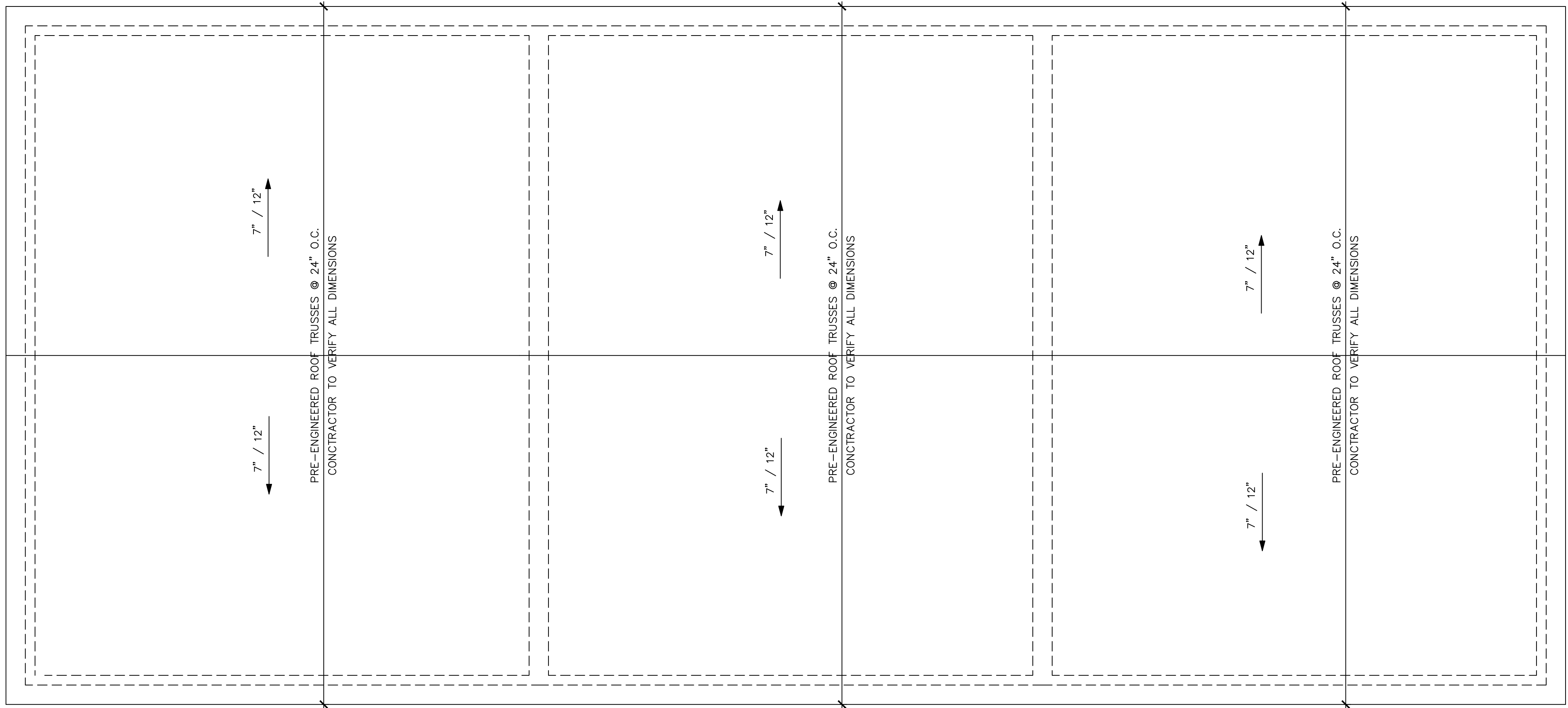
PROPOSED SITE PLAN FOR:
21st CENTURY LIVING, LLC
5-9 MORGAN AVENUE
POUGHKEEPSIE

Project Number: 22-09

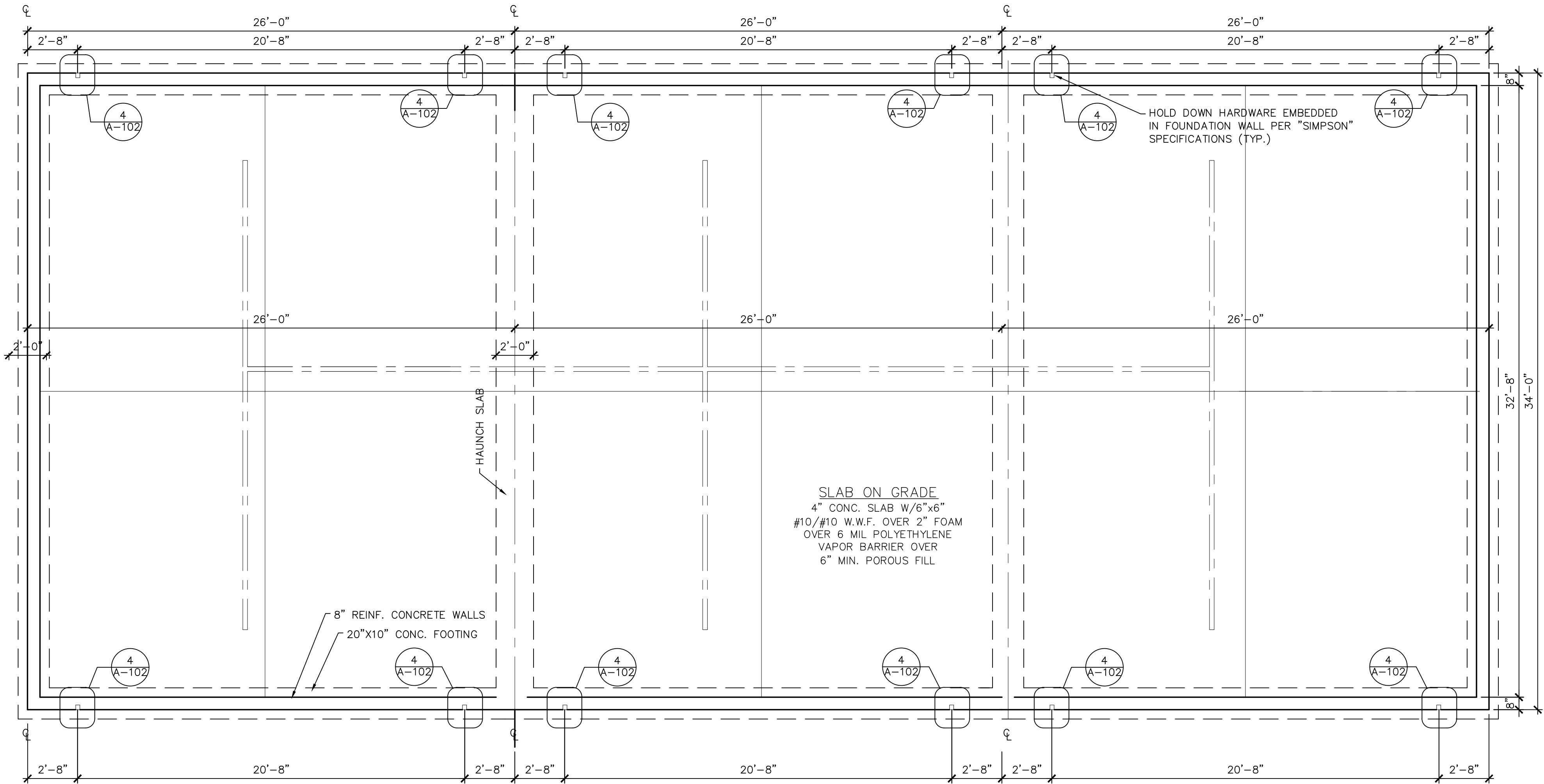
Page 104 of 236



3
A1 2HR TENANT FIRE SEPARATION WALL
SCALE: 3/4" = 1'-0"



2
A1 ROOF PLAN
SCALE: 1/4" = 1'-0"



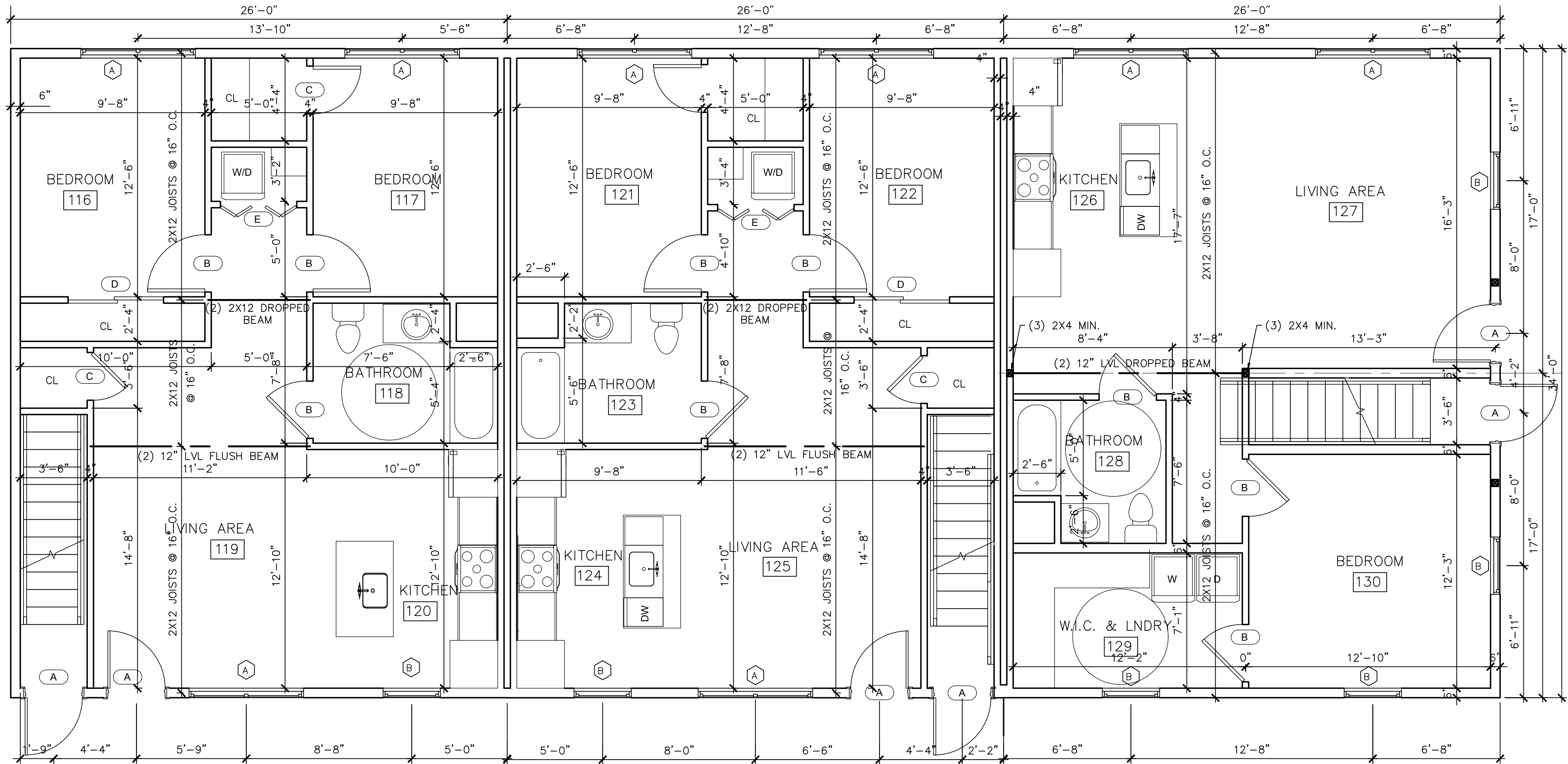
1
A1 FOUNDATION PLAN
SCALE: 1/4" = 1'-0"

- 1 CONTINUOUS "SNOW COUNTRY RIDGE VENT" BY GAF.
- 2 PRE-ENGINEERED ROOF TRUSS SYSTEM @2'-0"o.c., DESIGN FOR: 55 PSF SNOW LOAD + 15 PSF DEAD LOAD
- 3 CONTINUOUS 1x6 FASCI.
- 4 INSTALL SIMPSON #H10A HURRICANE TIES AT ALL CONNECTIONS OF ROOF TRUSS BOTTOM CHORD TO BEARING WALLS.
- 5 7/16" WALL SHEATHING W/ TYVEK HOUSE WRAP WITH VINYL SIDING PER OWNERS CHOICE.
- 6 2x6 STUD WALL @16"o.c. W/ R-21 CAVITY INSULATION.
- 7 SLOPE GRADE AWAY FROM BUILDING.
- 8 8" CONCRETE BLOCK OR 8" POURED CONCRETE FOUNDATION WITH R10x48" PERIMETER INSULATION.
- 9 INSTALL 5/8" TYPE 'X' GWB ON ALL WALLS BETWEEN APARTMENTS.
- 10 12"x24" POURED CONCRETE FOOTING CONTINUOUS WITH 3-#4 BARS.
- 11 4" CONC. SLAB W/6"x6" #10/#10 W.W.F. OVER 6 MIL. POLYETHYLENE VAPOR BARRIER AND 6" MIN POROUS COMPACTED.
- 12 1/2"DIA x12"LONG BENT ANCHOR BOLTS @ 6'-0"o.c. & @ 1'-0" FROM CORNERS & 7" MIN. EMBEDMENT WITH "SIMPSON" WASHERS #LBPI/2. INSTALL ANCHOR BOLTS IN CENTER FIRE WALLS, SAME AS PERIMETER FOUNDATION WALL.
- 13 INSTALL 2-2x10 HEADER FOR WINDOWS & DOORS.
- 14 INSTALL BEAMS AND HEADERS WHERE SHOWN ON DRAWINGS.
- 15 12" x 24" HAUNCH W/ 3# 4 RODS CONTINUOUS.
- 16 CONTINUOUS VENTED SOFFIT.
- 17 CONTINUOUS ALUM. DRIP EDGE.
- 18 36" ICE & WATER SHIELD 24" IN FROM STUD WALLS ON RAKES & EAVES AND 36" WIDE IN VALLEYS.
- 19 5/8" PLYWOOD ROOF DECK W/ PLYWOOD CLIPS BETWEEN TRUSSES, W/ 15 LB. FELT & GAF 235 LB. ARCHITECTURAL ASPHALT ROOF SHINGLES (COLOR PER OWNER'S CHOICE).
- 20 2x6 SOLID BLOCKING AT MID HEIGHT OF BEARING WALL. 2x6 STUDS @ 16" O.C.
- 21 ALUMINUM GUTTERS & DOWN SPOUTS
- 22 VINYL WINDOW, DOOR TRIM & CORNER TRIM. SIDING & TRIM PER OWNER.
- 23 INSTALL FULL THICKNESS CAVITY INSULATING IN EXTERIOR WALLS & CENTER BEARING WALL.
- 24 NOT USED.
- 25 INSTALL 14 INCH DIAMETER BY 48 INCHES DEEP CONCRETE PIER.
- 26 3/4" T & G PLYWOOD SUB-FLOOR
- 27 "ACCURENT" BAFFLE W/1/4" HEEL HEIGHT TRUSS TO ACCOMMODATE R-38 INSULATION EXTENDED TO OUTSIDE FACE OF WALL STUD.
- 28 ELECTRICIAN TO INSTALL GROUND WIRE TO 20' ONE PIECE RE-BAR ENCASED IN FOOTING CONCRETE PER ELECTRICAL CODE. COORDINATE WITH CONCRETE CONTRACTOR.
- 29 NOT USED.
- 30 NOT USED.
- 31 STAIRS, 14 RISERS AT ±7 1/4" HGT. & 13 TREADS AT ±10" DEEP. INSTALL HANDRAIL 34" MIN. & 38" MAX. HEIGHT.
- 32 NOT USED.

Revisions		No.	Date:	Description:



CIRO INTERRANTE ARCHITECT P.C.			
25 MARKET STREET			
POUGHKEEPSIE, NEW YORK 12601			
(845) 473-7572 Office		(845) 473-7525 Fax	
DRAWN BY:	A.K.S.	CHECKED BY:	C.I.
ISSUED DATE:		22 AUG, 2023	



2 SECOND FLOOR PLAN
A2 SCALE: 1/4" = 1'-0"

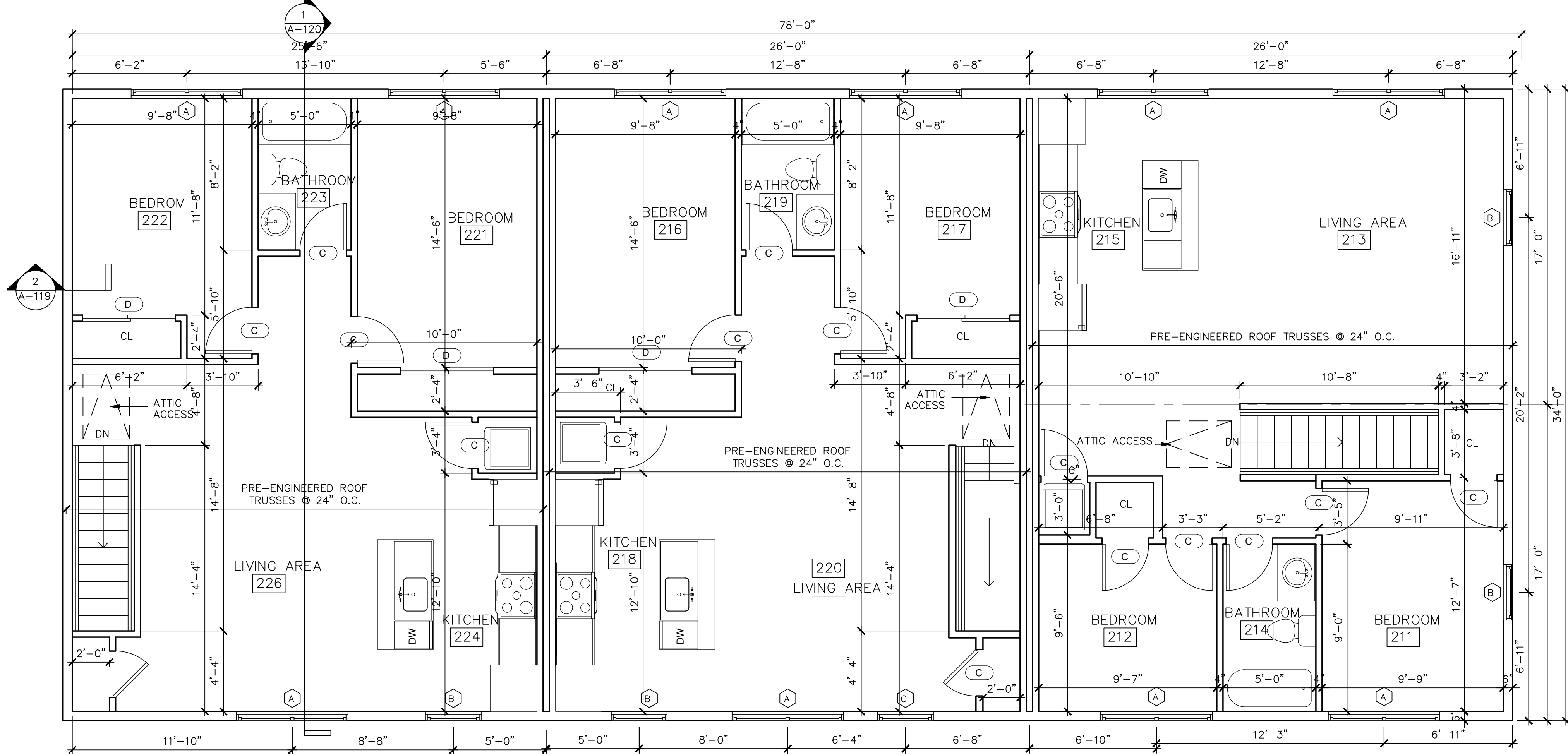
LEGEND	
	= 4-2x6 STUDS GLUED & NAILED
NOTE: ALL WINDOWS & DOOR HEADERS TO BE 2-2X10 UNLESS NOTED OTHERWISE	

LIGHT & VENTILATION SCHEDULE (PER UNIT)					
ROOM NAME	FLOOR AREA (SQUARE FEET)	LIGHT 8% (REQUIRED)	LIGHT % (ACTUAL)	VENT. 4% (REQUIRED)	VENTILATION % (ACTUAL)
LIVING ROOM	200	16	20.62	8	11.4
DINNING ROOM	104	8.32	20.62	4.16	11.4
BED ROOM #1	120	9.6	20.62	4.8	11.4
BED ROOM #2	96	7.68	10.31	3.84	5.7
BED ROOM #3	83	6.64	30.93	3.32	17.1
LIVING ROOM	213	17.04	20.62	8.52	11.4
DINNING ROOM	106	8.48	20.62	4.24	11.4
BED ROOM #1	122	9.76	20.62	4.88	11.4
LOUNGE/TV/OFFICE	117	9.39	10.31	4.69	5.7
BED ROOM #2	90	7.2	10.31	3.6	5.7

WINDOW SCHEDULE (PER BUILDING)								SYMBOL	
MARK	SIZE	ANDERSEN #	QUAN.	DESCRIPTION	R.O.	EMERGENCY EGRESS COMPLIANT	CLEAR OPENING	GLASS AREA	
A	3'-1 5/8" x 4'-8 7/8"	TW3046	27	DOUBLE HUNG	3'-2 1/8" x 4'-8 7/8"	YES	5.7	10.31	
B	2'-7 5/8" x 3'-4 7/8"	TW2632	9	DOUBLE HUNG	2'-8 1/8" x 3'-4 7/8"	NO	3.17	5.57	

WINDOW & DOOR NOTES:
1. EACH HABITABLE SPACE IS PROVIDED WITH AT LEAST ONE WINDOW THAT IS IN COMPLIANCE WITH NYS CODE REGULATIONS FOR USE AS AN EMERGENCY EGRESS.
2. ALL HABITABLE SPACES ARE IN COMPLIANCE WITH NYS CODE REQUIREMENTS FOR NATURAL LIGHT AND NATURAL VENTILATION.
3. ALL WINDOWS ARE INSULATED AND WEATHERSTRIPPED.
4. WINDOW MANUFACTURER TO PROVIDE TEMPERED GLASS WHERE REQUIRED BY CODE (WHERE GLASS IS WITHIN 18" OF FLOOR OR LOWER).
5. VERIFY WINDOW MODEL NUMBERS AND SIZES WITH MANUFACTURER BEFORE STARTING CONSTRUCTION.

DOOR SCHEDULE (PER BUILDING)				SYMBOL	
MARK	SIZE	QUAN.	DESCRIPTION		
1	3'-0" x 6'-8"	3	EXTERIOR ENTRY DOOR		
2	2'-6" x 6'-8"	16	INTERIOR DOOR		
3	5'-0" x 6'-8"	3	INTERIOR BI-FOLD DOOR		
4	2'-0" x 6'-8"	7	INTERIOR DOOR		
5	1'-6" x 6'-8"	3	INTERIOR DOOR		



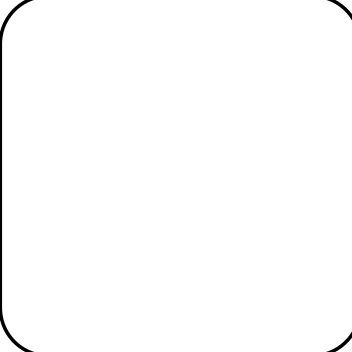
1 FIRST FLOOR PLAN
A2 SCALE: 1/4" = 1'-0"

Revisions	Description:	
	No.	Date:



CIRO TERRANTE ARCHITECT, P.C.
85 MARKET STREET
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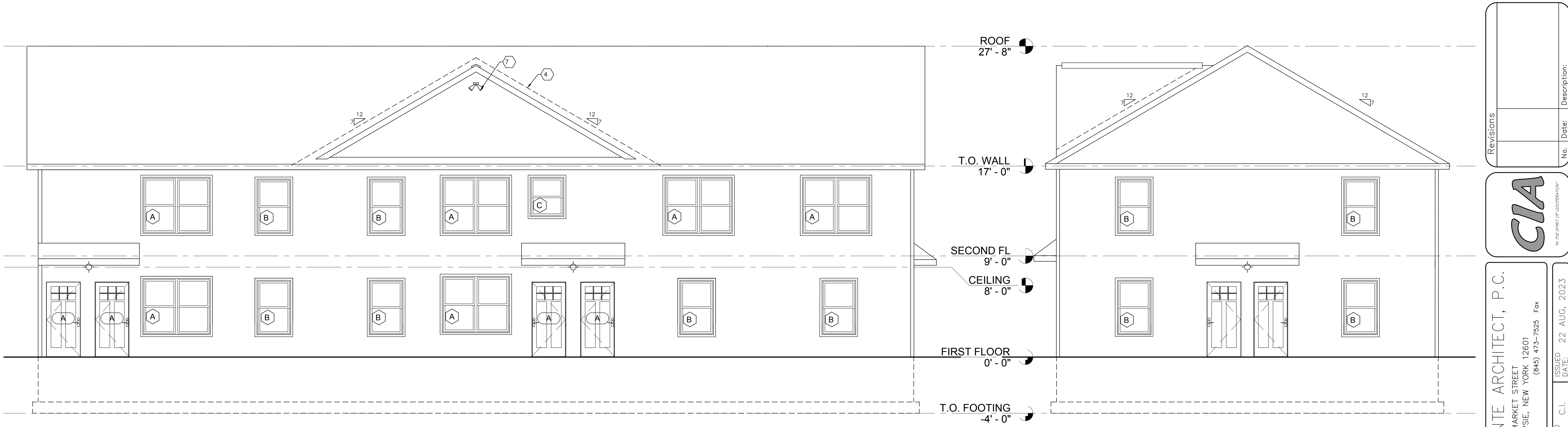
DRAWN BY: A.K.S. CHECKED BY: C.I. ISSUED DATE: 22 AUG, 2023



1st & 2nd FLOOR PLANS & SCHEDULES
PROPOSED NEW BUILDING "A" FOR:
21ST CENTURY LIVING, LLC
5-9 MORGAN AVENUE
POUGHKEEPSIE, NEW YORK 12601

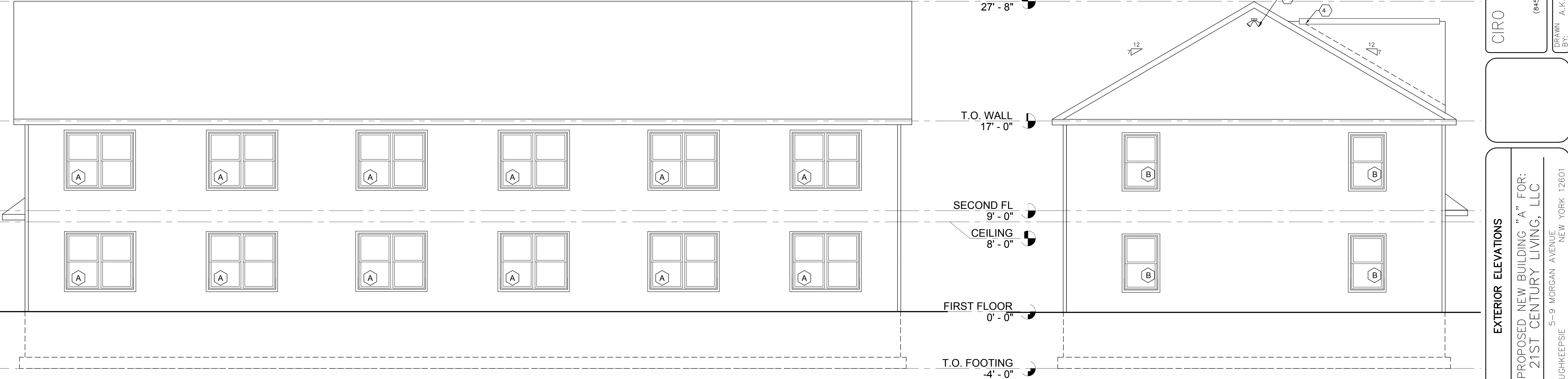
Project Number: 22-09

SHEET NO.
A2
BUILDING A



1 FRONT ELEVATION
A3 SCALE: 1/4" = 1'-0"

2 RIGHT SIDE ELEVATION
A3 SCALE: 1/4" = 1'-0"



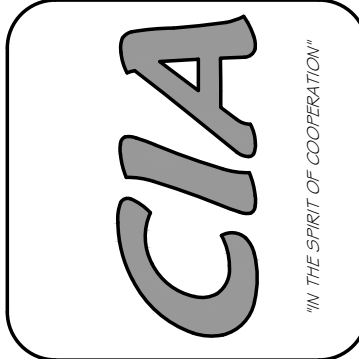
3 REAR ELEVATION
A3 SCALE: 1/4" = 1'-0"

4 LEFT SIDE ELEVATION
A3 SCALE: 1/4" = 1'-0"

WINDOW SCHEDULE (PER BUILDING) (ANDERSON SERIES 100)								SYMBOL	
MARK	SIZE	ANDERSEN #	QUAN.	DESCRIPTION	R.O.	EMERGENCY EGRESS COMPLIANT	CLEAR OPENING	GLASS AREA	
A	2'-11 1/2" x 4'-11 1/2"	3050	27	SINGLE HUNG	3'-0" x 5'-0"	YES	5.79	11.95	
B	2'-5 1/2" x 3'-5 1/2"	2636	9	SINGLE HUNG	2'-6" x 3'-6"	NO	3.08	6.44	

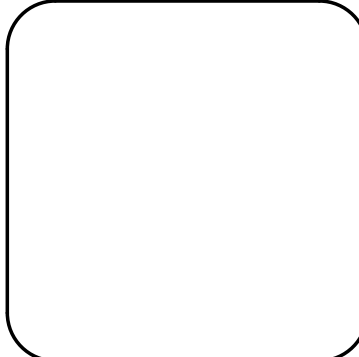
WINDOW & DOOR NOTES:
1. EACH HABITABLE SPACE IS PROVIDED WITH AT LEAST ONE WINDOW THAT IS IN COMPLIANCE WITH NYS CODE REGULATIONS FOR USE AS AN EMERGENCY EGRESS.
2. ALL HABITABLE SPACES ARE IN COMPLIANCE WITH NYS CODE REQUIREMENTS FOR NATURAL LIGHT AND NATURAL VENTILATION.
3. ALL WINDOWS ARE INSULATED AND WEATHERSTRIPPED.
4. WINDOW MANUFACTURER TO PROVIDE TEMPERED GLASS WHERE REQUIRED BY CODE (WHERE GLASS IS WITHIN 18" OF FLOOR OR LOWER).
5. VERIFY WINDOW MODEL NUMBERS AND SIZES WITH MANUFACTURER BEFORE STARTING CONSTRUCTION.

Revisions		No.	Date:	Description:



CIRO INTERRANTE ARCHITECT, P.C.
85 MARKET STREET
POUGHKEEPSIE, NEW YORK 12601
(845) 473-7572 Office (845) 473-7525 Fax

DRAWN BY: A.K.S. CHECKED BY: C.I. ISSUED DATE: 22 AUG, 2023



EXTERIOR ELEVATIONS

PROPOSED NEW BUILDING "A" FOR:
21ST CENTURY LIVING, LLC
POUGHKEEPSIE 5-9 MORGAN AVENUE NEW YORK 12601

Project Number. 22-09

SHEET NO.

A3

BUILDING A

PROPOSED NEW BUILDING "A" FOR:
5-9 MORGAN AVENUE
CITY OF POUGHKEEPSIE, N. Y.

GENERAL NOTES:

- ALL WORK TO BE DONE BY EXPERIENCED CRAFTSMEN SKILLED IN THEIR TRADE AND IN A WORKMANLIKE MANNER IN ACCORDANCE WITH ALL STATE AND LOCAL BUILDING CODES, RULES AND REGULATIONS.
- ALL CONCRETE TO BE MIN. 3000 PSI COMPRESSIVE STRENGTH AT 28 DAYS.
- ALL CONCRETE FOOTINGS TO BEAR ON UNDISTURBED VIRGIN SOIL OR SUITABLE ROCK. STEP FOOTINGS AS REQUIRED TO MAINTAIN MIN. 4'-0" COVER BELOW GRADE.
- CONTRACTOR SHALL NOTIFY ARCHITECT IF QUESTIONABLE SOIL CONDITIONS ARE ENCOUNTERED AT SITE.
- ALL FRAMING LUMBER TO BE S-P-F OR HEM-FIR, CONSTRUCTION GRADE. JOISTS, HEADERS, RAFTERS AND GIRDERS TO BE DOUGLAS FIR NUMBER TWO, OR BETTER.
- ALL HEADERS TO BE MIN. 2-x10, UNLESS NOTED OTHERWISE, ALL HEADERS AND GIRDERS TO BE GLUED AND NAILED.
- DOUBLE RAFTERS AROUND ROOF OPENING FOR SKYLIGHTS IF APPLICABLE.
- DIMENSIONS ARE FROM FACE OF STUD OR STRUCTURE, OR CENTERLINE OF MEMBER/OPENING.
- WINDOW NUMBERS REFER TO ANDERSEN OR MARVIN. ADJUST ROUGH OPENINGS AND DIMENSIONS IF A DIFFERENT MANUFACTURER IS USED. SEE WINDOW SCHEDULE.
- THERE SHALL BE NO SUBSTITUTIONS WITHOUT WRITTEN APPROVAL BY THE OWNER AND ARCHITECT. THE ARCHITECT IS NOT RESPONSIBLE FOR COMPLICATIONS ARISING FROM UNAUTHORIZED SUBSTITUTION OF MATERIAL SIZE OR TYPE.
- INSULATE EXTERIOR WALL WITH R-21 FIBERGLASS BATT INSULATION. INSULATE CEILINGS WITH R-38. INSULATE FLOORS WITH R-30.
- PLUMBING AND ELECTRICAL CONTRACTORS ARE RESPONSIBLE TO MEET THE LATEST REVISIONS TO THE N.Y.S. ENERGY CONSERVATION CONSTRUCTION CODE FOR THEIR RESPECTIVE TRADE.
- ALL MATERIALS, ASSEMBLIES, CONSTRUCTION AND EQUIPMENT SHALL CONFORM TO THE REGULATIONS OF THE RESIDENTIAL CODE OF N.Y.S. AND SHALL CONFORM TO GENERALLY ACCEPTED STANDARDS.
- THOSE ITEMS NOT NOTED, BUT IMPLIED AS NECESSARY FOR THE PERFORMANCE OF THE WORK ARE CONSIDERED PART OF THE CONTRACT.
- ALL NEW INTERIOR DRYWALL TO BE 1/2" REGULAR GYPSUM BOARD UNLESS NOTED OTHERWISE. USE 1/2" M.R. DRYWALL IN BATHROOMS.
- ALL CLOSETS TO HAVE RODS AND SHELVES.
- ALL BEAMS AND HEADERS OVER 4'-0" SPAN TO BE GLUED AND NAILED. ALL MULTIPLE PIECE STRUCTURAL MEMBERS SHALL BE GLUED AND NAILED.
- USE PRESSURE TREATED LUMBER FOR PORCH AND DECK STRUCTURES.
- EXTERIOR WALLS ARE FRAMED WITH 2x6 STUDS AND INTERIOR WALLS ARE FRAMED WITH 2X4 STUDS UNLESS NOTED OTHERWISE.
- ALL MATERIALS SHALL BE ASSEMBLED IN ACCORDANCE WITH THE N.Y.S. BUILDING CODE, INCLUDING PROPER MATERIAL TYPE AND DIMENSIONS AND PROPER QUANTITY AND TYPE OF FASTENERS.

ENERGY CONSERVATION:

- CONSTRUCTION ENVELOPE DESIGNED BY ACCEPTABLE STANDARDS FOR CLIMATE ZONE 5A (DUTCHESS COUNTY) WITH MINIMUM "R" VALUES AS FOLLOWS:
WALLS- R21
ROOF- R38 (EXTEND TO OUTSIDE FACE OF EXTERIOR STUD & INSTALL "ACCUCENT" BAFFLE.)
FLOOR- R30
SLAB EDGE- R-10 (NON RADIANT HEAT)
GLAZING- U 0.32
DOORS- R 2.5
BASEMENT WALLS- R-19

INSULATION:

- PROVIDE FIBERGLAS BATT INSULATION WITH 4 MIL POLYETHYLENE VAPOR BARRIER IN WALLS, CEILINGS, FLOORS AND WHERE INDICATED ON DRAWINGS. FOLLOW MANUFACTURER'S INSTRUCTIONS FOR USE AND INSTALLATION.
- FOUNDATION AND SLAB RIGID BOARD INSULATION WHERE INDICATED TO BE RIGID EXTRUDED POLYSTYRENE TYPE OR APPROVED EQUAL.
- ALL INSULATION REGARDLESS OF MATERIAL SHALL BE COVERED WITH 1/2" DRY WALL OR CONCRETE IF SLAB EDGE INSULATION.

FIRE SAFETY:

- SUPPLY AND INSTALL LINE VOLTAGE IONIZED SMOKE DETECTOR ALARMS AND CARBON MONOXIDE DETECTORS AS SHOWN ON PLANS ON ALL FLOOR LEVELS, IN ALL SLEEPING ROOMS, AT STAIRWELLS, AND AS REQUIRED BY LOCAL AUTHORITY IF NOT SHOWN ON PLANS.
- SMOKE AND CARBON MONOXIDE DETECTORS ON CATHEDRAL CEILINGS SHALL BE LOCATED AT THE HIGH POINT OF THE CEILING (SEE PLAN FOR LOCATION).
- ALL SMOKE AND CARBON MONOXIDE DETECTORS SHALL BE WIRED TOGETHER SO THAT IF ONE IS ACTIVATED, ALL WILL SOUND AN ALARM.
- IF REQUIRED BY LOCAL CODE OFFICIAL, ALL SMOKE AND CARBON MONOXIDE DETECTORS SHALL BE INSTALLED BY A LICENSED ALARM INSTALLER.

SMOKE ALARM NOTES: SMOKE ALARMS SHALL BE INSTALLED IN THE FOLLOWING LOCATIONS:

- IN EACH SLEEPING ROOM.
- OUTSIDE EACH SEPARATE SLEEPING AREA IN THE IMMEDIATE VICINITY OF THE BEDROOM.
- ON EACH ADDITIONAL STORY OF THE DWELLING, INCLUDING BASEMENTS AND HABITABLE ATTICS. NO DETECTORS ARE REQUIRED IN CRAWL SPACES (BELOW-GRADE SPACE LESS THAN 6 FEET, 8 INCHES IN HEIGHT) AND UNINHABITABLE ATTICS.

CARBON MONOXIDE ALARMS: CARBON MONOXIDE ALARMS SHALL BE INSTALLED IN THE FOLLOWING LOCATIONS:

- WITHIN EACH DWELLING UNIT ON ANY STORY HAVING A SLEEPING AREA.
- ON ANY STORY OF A DWELLING UNIT WHERE FUEL-FIRED APPLIANCES AND EQUIPMENT, SOLID-FUEL BURNING APPLIANCES AND EQUIPMENT, FIREPLACES OR ATTACHED GARAGES ARE LOCATED. A CARBON MONOXIDE ALARM INSTALLED ON ANY STORY OF A DWELLING UNIT HAVING A SLEEPING AREA SHALL SUFFICE FOR THAT STORY WHERE FUEL-FIRED APPLIANCES AND EQUIPMENT, SOLID-FUEL BURNING APPLIANCES AND EQUIPMENT, FIREPLACES OR ATTACHED GARAGES ARE ALSO LOCATED.

ELECTRICAL NOTES:

- ALL OUTLETS IN ALL BATHROOMS, AND KITCHEN AREAS SHALL BE
- IF REQUIRED BY LOCAL CODE OFFICIAL, ALL ELECTRICAL WORK SHALL BE INSTALLED BY A LICENSED ELECTRICIAN.

PLUMBING:

- PLUMBER SHALL FILE FOR PERMITS AND SECURE APPROVALS. USE ONLY LEAD FREE SOLDER.

OSHA NOTE:

- CONTRACTOR SHALL OBSERVE ALL OSHA REQUIREMENTS & REGULATIONS THAT PERTAIN TO THIS PROJECT. FOR REFERENCE, DOWNLOAD A COPY OF THE OSHA REGULATIONS FROM THE UNITED STATES DEPARTMENT OF LABOR OSHA WEB SITE. <http://www.osha.gov/law-regs.html>
- CONTRACTOR SHALL FOLLOW THESE REGULATIONS AS SPECIFIED AND REFER TO THE ABOVE REFERENCED WEB SITE FOR GUIDANCE.

CONTRACTOR NOTE:

- CONTRACTOR SHALL DOWNLOAD A COPY OF THE "PRESCRIPTIVE RESIDENTIAL WOOD DECK CONSTRUCTION GUIDE" FROM THE AMERICAN WOOD COUNCIL WEB SITE. <http://www.awc.org/publications/DCA/DCA6/DCA6-09.pdf>
- CONTRACTOR SHALL DOWNLOAD A COPY OF THE "DETAILS FOR CONVENTIONAL WOOD FRAME CONSTRUCTION" FROM THE AMERICAN WOOD COUNCIL WEB SITE. <http://www.awc.org/pdf/WCD1-300.pdf>
- CONTRACTOR SHALL DOWNLOAD A COPY OF THE "DESIGN OF WOOD FRAME STRUCTURES FOR PERMANENCE" FROM THE AMERICAN WOOD COUNCIL WEB SITE. <http://www.awc.org/pdf/WCD6.pdf>
- CONTRACTOR CAN OBTAIN MORE INFORMATION ON SYSTEMS AT [HTTP://WWW.WOOD-ES.ORG/REPORTS](http://www.wood-es.org/reports)
- CONTRACTOR SHALL FOLLOW THESE DRAWINGS AS SPECIFIED AND REFER TO THE ABOVE REFERENCED DOCUMENTS FOR GUIDANCE.

CONCRETE & MASONRY:

- ALL FOOTINGS SHALL BEAR ON UNDISTURBED EARTH OF 1 1/2 TON CAPACITY OR LEDGE ROCK.
- STEPPED FOOTINGS SHALL HAVE A MAXIMUM STEP OF 2' VERTICAL AND 4' HORIZONTAL.
- BOTTOM OF FOOTINGS ON SOIL SHALL BE BELOW LOCAL CODE FROST LINE. PROTECT FROM FREEZING.
- CONCRETE FOR POURED IN PLACE CONSTRUCTION SHALL CONFORM TO ACI 318-77 AND SHALL HAVE A MIN. STRENGTH OF 3000 PSI AT 28 DAYS. POUR ONLY IN TEMP. ABOVE 40 DEGREES.
- WHERE ROCK TO EARTH TRANSITION OCCURS, USE DEFORMED REBARS AS REQUIRED BY ARCHITECT. NOTIFY ARCHITECT IN EVENT OF THIS CONDITION.
- FOUNDATION WALLS ARE TO HAVE 1/2" DIA. x 12" LONG THREADED ANCHOR BOLTS AT 6'-0" O.C. MAX.
- SLABS ARE TO BE POURED ON GRAVEL OR CRUSHED STONE BASE. PROVIDE 6 MIL POLY. VAPOR BARRIER ON BASEMENT AND CRAWL SPACE SLABS. REINFORCE WITH GRADE 40 WELDED WIRE MESH.
- IF USED, CONCRETE MASONRY WALLS ARE TO CONFORM TO THE LATEST EDITION OF NATIONAL CONCRETE MASONRY ASSOCIATION AND APPLICABLE STATE CODES. TOP COURSE FILLED SOLID.
- IF USED, CONCRETE BLOCK SHALL BE OF THE FOLLOWING TYPE: ASTM C-90 GRADE N-1, ASTM C-145 GRADE N-1 ALL MORTAR SHALL BE ASTM C-270 TYPE S.

FOUNDATION NOTES:

- ALLOWABLE SAFE SOIL BEARING CAPACITY IS ASSUMED TO BE 3000 PSF. THE CONTRACTOR SHALL VERIFY SOIL CONDITIONS AND CAPACITY AND INFORM THE ARCHITECT IN WRITING IF LESS THAN 3000 PSF PRIOR TO STARTING ANY WORK.
- POURED CONCRETE FOOTINGS, PIERS, FOUNDATIONS AND SLABS SHALL DEVELOP A MINIMUM COMPRESSIVE STRENGTH OF 3000 PSI IN TWENTY EIGHT DAYS.
- MINIMUM DEPTH OF FOUNDATION FOOTINGS SHALL BE 4'-0" BELOW ALL FINISHED GRADES. ALL FOOTINGS SHALL BEAR ON UNDISTURBED VIRGIN SOIL. DO NOT POUR ANY CONCRETE ON WET, DAMP OR FROZEN SOIL.
- REINFORCING FOR CONCRETE WALLS SHALL HAVE TWO ROWS OF NO. 4 BARS AT THE TOP AND BOTTOM OF THE WALL WITH NO. 4 BARS AT 4'-0" ON CENTER VERTICAL AND HORIZONTAL, SEE DETAILS FOR ADDITION REINFORCING. REINFORCING FOR FOOTINGS SHALL BE TWO NO.4 BARS CONTINUOUS. SLAB REINFORCING SHALL BE 6"x6" - #10/#10 WELDED WIRE FABRIC. REINFORCING BARS SHALL BE DEFORMED STEEL BARS, ASTM A615 GRADE 60.
- ALL COLUMNS SHALL BE CONCRETE FILLED LALLY COLUMNS UNLESS NOTED OTHERWISE.
- BEARING FOR ALL BEAMS SHALL BE 6" MINIMUM.
- APPLY BITUMINOUS MASTIC FOUNDATION DAMP PROOFING TO THE EXTERIOR OF ALL CONCRETE FOUNDATION WALLS.

GENERAL FRAMING NOTES:

- ALL JOISTS AND RAFTERS SHALL BE ALIGNED OVER STUDS BELOW.
- INSTALL DOUBLE FLOOR JOISTS UNDER PARTITION WALLS FRAMED PARALLEL TO JOIST DIRECTION.
- ALL EXTERIOR SHEATHING SHALL BE 1/2"CDX PLYWOOD. NAILING SCHEDULE SHALL BE 8d COMMONS AT 6" O.C. AT ALL EDGES AND 8d COMMONS AT 12" O.C. AT ALL INTERMEDIATE STUDS. ALL COLUMNS OR SOLID FRAMING SHALL EXTEND DOWN THRU ALL LEVELS AND TERMINATE AT THE BASEMENT FLOOR AND BE SUPPORTED BY A THICKENED SLAB, GRADE BEAM, OR FOOTING DESIGNED TO CARRY LOAD.
- PROVIDE COLLAR TIES ON ALL RAFTERS AT UPPER 1/3 OF VERTICAL DISTANCE BETWEEN RIDGE BOARD AND CEILING JOISTS AT 16" O.C.
- HIP, VALLEY RAFTERS, AND RIDGE BOARDS SHALL BE ONE "2x" SIZE LARGER THAN RAFTERS OR AS SHOWN ON PLAN.
- ROOF DECKING SHALL BE 5/8" CDX PLYWOOD MINIMUM.
- ALL CEILING JOISTS AND RAFTER BRACING TO BEAR ON LOAD BEARING WALLS DESIGNED TO CARRY LOAD THRU ALL LEVELS AND TERMINATE AT BASEMENT FLOOR AND BE SUPPORTED BY THICKENED SLAB GRADE BEAM OR FOOTING DESIGNED TO CARRY LOAD.
- ALL ANCHOR BOLTS SHALL BE NYS CODE MINIMUM 1/2" DIA.x12" WITH A 7" EMBEDMENT, 1'-0" FROM CORNERS AND @ 6'-0"o.c. WITH SIMPSON WASHER #LB1/2 THRU OUT.
- SHEATHING TO BE 5/8" EXTERIOR PLYWOOD, FOR ROOFS AND 1/2" EXTERIOR PLYWOOD FOR WALLS.
- USE ONLY GALVANIZED OR NON CORROSIIVE NAILING ON ALL EXTERIOR WORK.
- VENTILATE ALL SOFFITS AND PROVIDE "ACCUCENT" OR EQUAL TO ENSURE VENTILATION.
- ALL GLASS DOORS AND WINDOWS ARE TO BE AS SPECIFIED ON PLANS AND ARE TO HAVE SCREENS AND LOW - E INSULATING GLASS UNLESS OTHERWISE NOTED.

GENERAL CONDITIONS:

- ALL WORK SHALL CONFORM TO ALL GOVERNING CODES AND ORDINANCES INCLUDING THE STATE BUILDING CODE AND LOCAL ZONING AND STATE ENERGY CODE.
- CONTRACTOR SHALL CARRY WORKMAN'S COMP. LIABILITY INSURANCE AS REQUIRED BY LAW, AND BY OWNER AND SHALL PROTECT OWNER FROM ALL LIABILITY WITH ADEQUATE INSURANCE.
- CONTRACTOR SHALL SECURE ALL NECESSARY PERMITS, INSPECTIONS AND FINAL CERTIFICATION OF OCCUPANCY
- CONTRACTOR SHALL CHECK, ALL DIMENSIONS AND CONDITIONS, AND NOTIFY ARCHITECT IMMEDIATELY OF ANY DISCREPANCIES.
- CONTRACTOR SHALL PROTECT PREMISES AND OCCUPANTS FROM HARM ON THE BUILDING SITE. PROVIDE AND MAINTAIN NECESSARY COVERINGS AND PROTECTION FOR ALL MATERIALS AND EQUIPMENT STORED ON SITE FROM DAMAGE OR THEFT.
- REMOVE ALL DEBRIS AND KEEP SITE CLEAN AND NEAT AT ALL TIMES.

FIRE RESISTIVE RATINGS

LOCATION RATING	REQ'D
SEPARATION BETWEEN UNITS	2 HR.

LIST OF DRAWINGS

DWG. NO.	TITLE
T1	TITLE SHEET
A1	FOUNDATION & ROOF PLANS & SCHEDULES
A2	FIRST & SECOND FLOOR PLANS & TABLE
A3	EXTERIOR ELEVATIONS

BUILDING DEPARTMENT NOTES

BUILDING CODE CLASSIFICATIONS	
1. OCCUPANCY CLASSIFICATION:	R2 APARTMENTS
2. CONSTRUCTION CLASSIFICATION:	TYPE V - WOOD FRAME
3. CONSTRUCTION AREA	- FIRST FLOOR = 2,652 SQUARE FEET - SECOND FLOOR = 2,652 SQUARE FEET

PARTITION LEGEND

NEW DRYWALL PARTITION WOOD STUDS @ 16" O.C. WITH (1) LAYER OF 1/2" G.W.B. ON EACH SIDE (STANDARD CONSTRUCTION)

CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

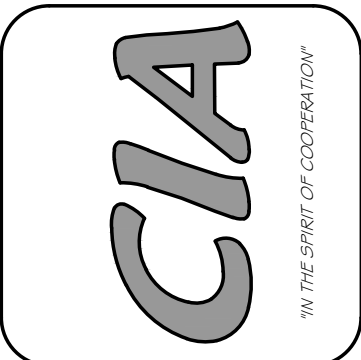
GROUND SNOW LOAD	WIND SPEED (MPH)	SEISMIC DESIGN CATAGORY	SUBJECT TO DAMAGE FROM				WINTER DESIGN TEMP.	ICE SHIELD UNDERLAYMENT REQUIRED	FLOOD HAZARDS	AIR FREEZING INDEX
			WEATHERING	FROST LINE DEPTH	TERMITE	DECAY				
50	90	B	SEVERE	48"	MODERATE TO HEAVY	SLIGHT TO MODERATE	6	YES	REFER TO MAP	1160

NOTE:
BEFORE ANY DIGGING ON THE SITE TAKES PLACE, THE CONTRACTOR MUST FIRST CALL THE UNDERGROUND FACILITIES PROTECTION ORGANIZATION (UFPD) AT 1-800-962-7962 TO IDENTIFY AND LOCATE ALL UNDERGROUND FACILITIES.

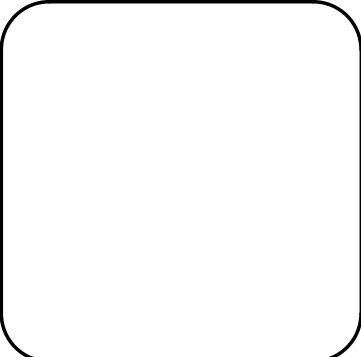
THIS DRAWING IS AN INSTRUMENT OF SERVICE. THE PROPERTY OF CRO INTERRANTE ARCHITECT, P.C. THE DRAWINGS IN THIS BOOK, INCLUDING ANY PARTS THEREOF, ARE THE PROPERTY OF CRO INTERRANTE ARCHITECT, P.C. AND ARE NOT TO BE REPRODUCED, COPIED, OR OTHERWISE USED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF CRO INTERRANTE ARCHITECT, P.C. THE DRAWINGS IN THIS BOOK, INCLUDING ANY PARTS THEREOF, ARE THE PROPERTY OF CRO INTERRANTE ARCHITECT, P.C. AND ARE NOT TO BE REPRODUCED, COPIED, OR OTHERWISE USED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF CRO INTERRANTE ARCHITECT, P.C.

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Revisions	No.	Date:	Description:



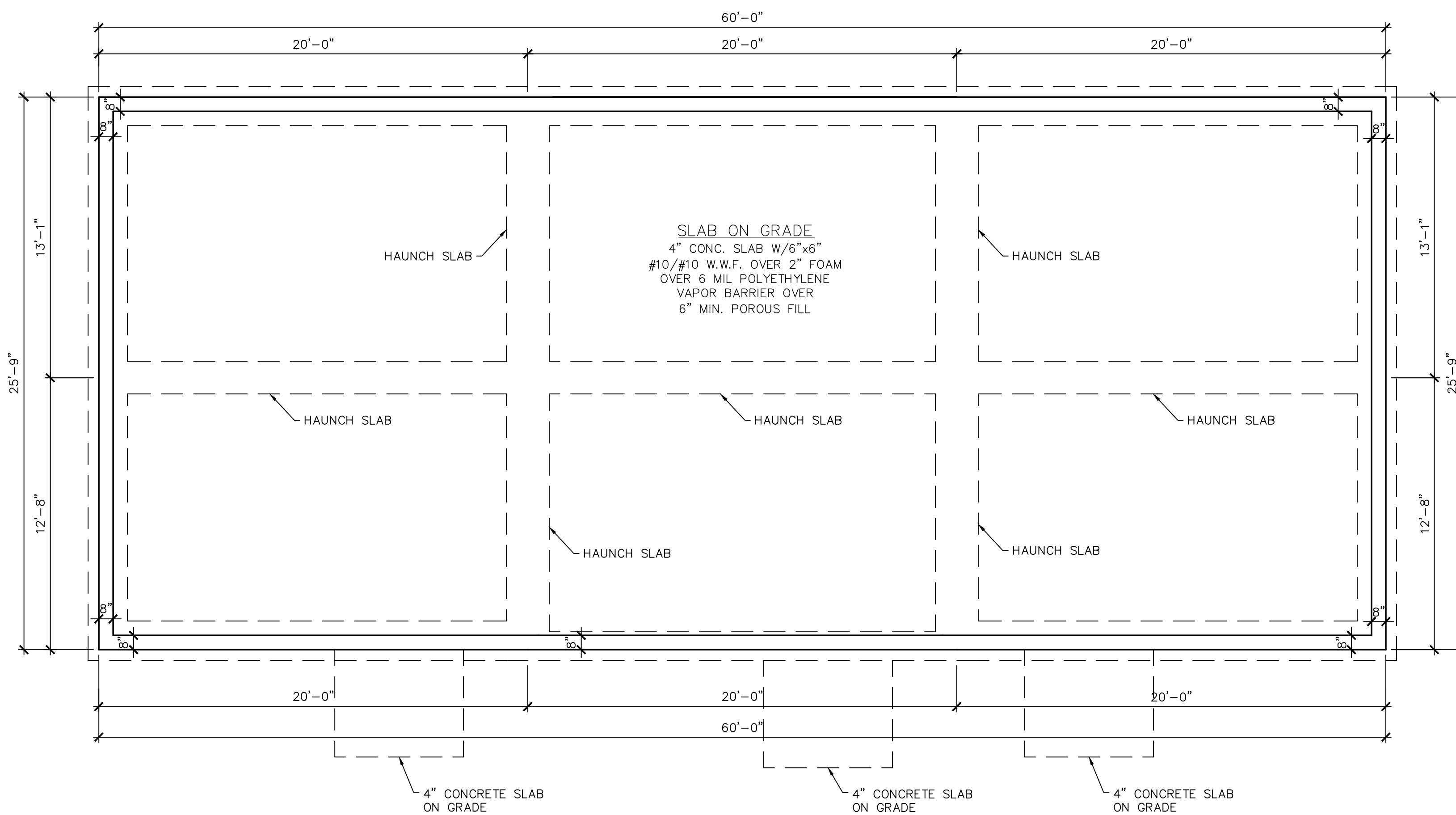
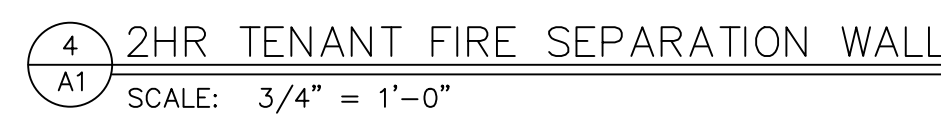
CRO INTERRANTE ARCHITECT, P.C.			
85 MARKET STREET POUGHKEEPSIE, NEW YORK 12601 (845) 473-7572 Office (845) 473-7525 Fax			
DRAWN BY: A.K.S.	CHECKED BY: C.I.	ISSUED DATE: 22 AUG, 2023	



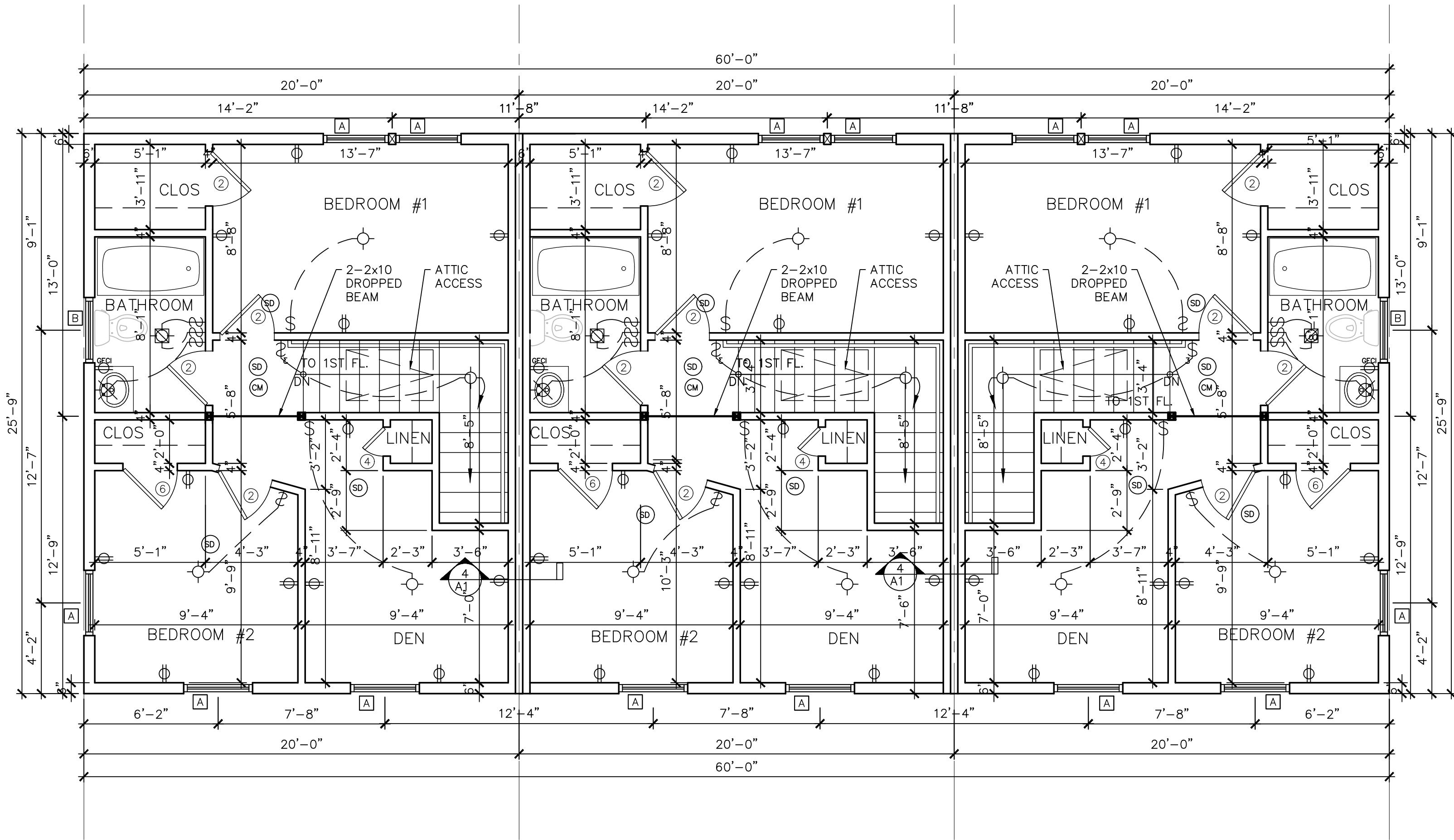
COVER SHEET	PROPOSED NEW BUILDING "A" FOR: 21ST CENTURY LIVING, LLC 5-9 MORGAN AVENUE POUGHKEEPSIE NEW YORK 12601

Project Number:	22-09
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SHEET NO.
T1
TITLE SHEET



Scale: $\frac{1}{4}" = 1'-0"$



LEGEND

☒ = 4-2x6 STUDS GLUED & NAILED

NOTE:
ALL WINDOWS & DOOR HEADERS TO BE 2-2X10 UNLESS NOTED OTHERWISE

LIGHT & VENTILATION SCHEDULE (PER UNIT)

ROOM NAME	FLOOR AREA (SQUARE FEET)	LIGHT 8% (REQUIRED)	LIGHT % (ACTUAL)	VENT. 4% (REQUIRED)	VENTILATION % (ACTUAL)
LIVING ROOM	200	16	20.62	8	11.4
DINNING ROOM	92	7.36	20.62	3.68	11.4
BED ROOM #1	117	9.36	20.62	4.68	11.4
BED ROOM #2	89	7.12	10.31	3.56	5.7
DEN	91	7.28	10.31	3.64	5.7
LIVING ROOM	213	17.04	20.62	8.52	11.4
DINNING ROOM	92	7.36	20.62	3.68	11.4
BED ROOM #1	117	9.36	20.62	4.68	11.4
DEN	95	7.6	10.31	3.8	5.7
BED ROOM #2	90	7.2	10.31	3.6	5.7

WINDOW SCHEDULE (PER BUILDING)

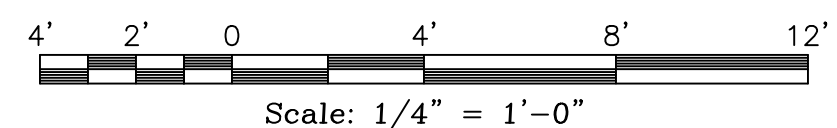
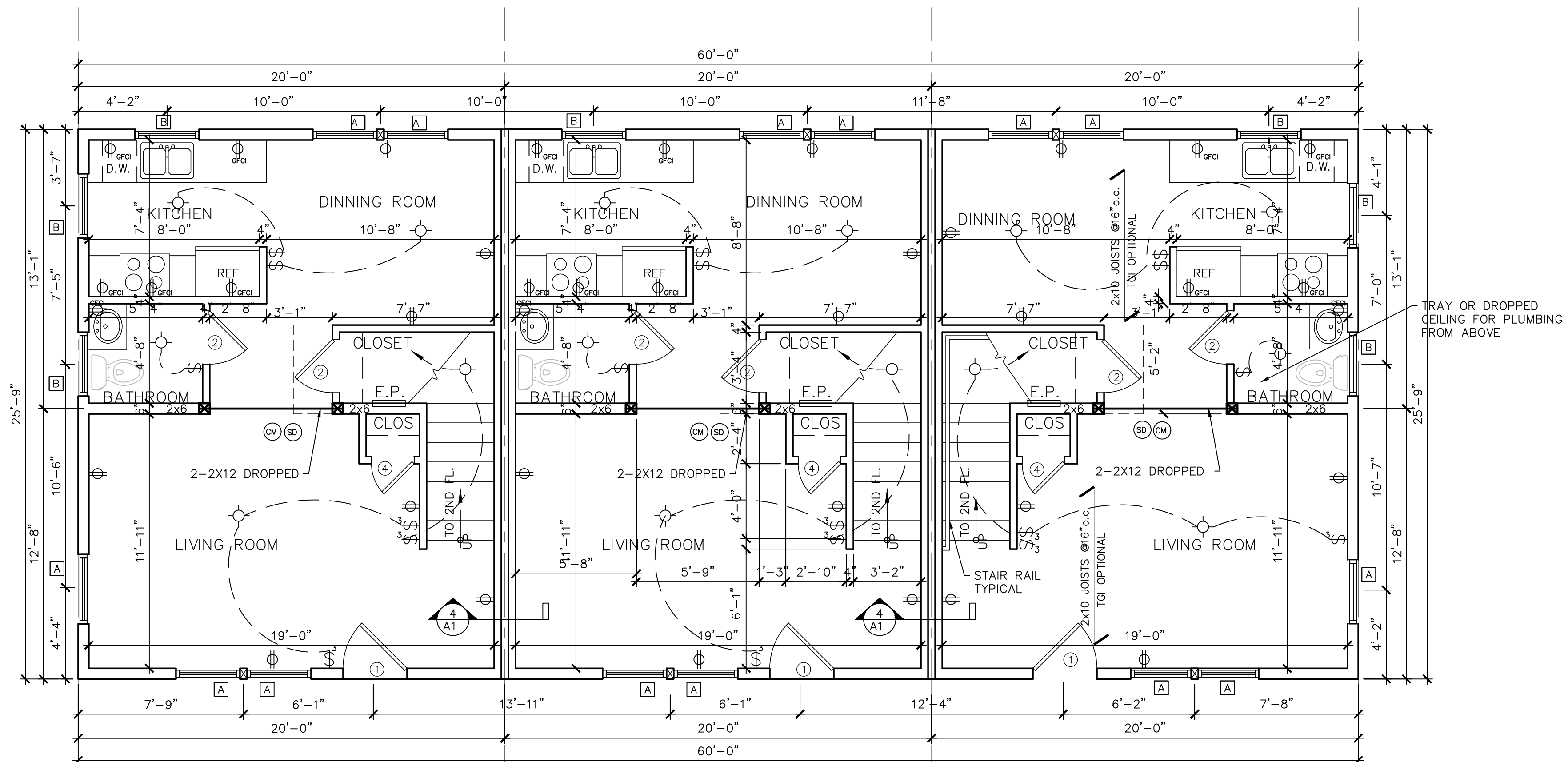
MARK	SIZE	ANDERSEN #	QUAN.	DESCRIPTION	R.O.	EMERGENCY EGRESS COMPLIANT	CLEAR OPENING	GLASS AREA
A	3'-1 5/8" x 4'-8 7/8"	TW3046	27	DOUBLE HUNG	3'-2 1/8" x 4'-8 7/8"	YES	5.7	10.31
B	2'-7 5/8" x 3'-4 7/8"	TW2632	9	DOUBLE HUNG	2'-8 1/8" x 3'-4 7/8"	NO	3.17	5.57

WINDOW & DOOR NOTES:

1. EACH HABITABLE SPACE IS PROVIDED WITH AT LEAST ONE WINDOW THAT IS IN COMPLIANCE WITH NYS CODE REGULATIONS FOR USE AS AN EMERGENCY EGRESS.
2. ALL HABITABLE SPACES ARE IN COMPLIANCE WITH NYS CODE REQUIREMENTS FOR NATURAL LIGHT AND NATURAL VENTILATION.
3. ALL WINDOWS ARE INSULATED AND WEATHERSTRIPPED.
4. WINDOW MANUFACTURER TO PROVIDE TEMPERED GLASS WHERE REQUIRED BY CODE (WHERE GLASS IS WITHIN 18" OF FLOOR OR LOWER).
5. VERIFY WINDOW MODEL NUMBERS AND SIZES WITH MANUFACTURER BEFORE STARTING CONSTRUCTION.

DOOR SCHEDULE (PER BUILDING)

MARK	SIZE	QUAN.	DESCRIPTION
1	3'-0" x 6'-8"	3	EXTERIOR ENTRY DOOR
2	2'-6" x 6'-8"	15	INTERIOR DOOR
3	5'-0" x 6'-8"	0	INTERIOR BI-FOLD DOOR
4	2'-0" x 6'-8"	3	INTERIOR DOOR
5	1'-6" x 6'-8"	3	INTERIOR DOOR
6	3'-0" x 6'-8"	3	INTERIOR DOOR



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DRAWN BY: A.K.S. CHECKED BY: C.I. ISSUED DATE: 22 AUG. 2023

1st & 2nd FLOOR PLANS & SCHEDULES

PROPOSED NEW BUILDING "B" FOR:
21ST CENTURY LIVING, LLC

5-9 MORGAN AVENUE
POUGHKEEPSIE NEW YORK 12601

Project Number: 22-09

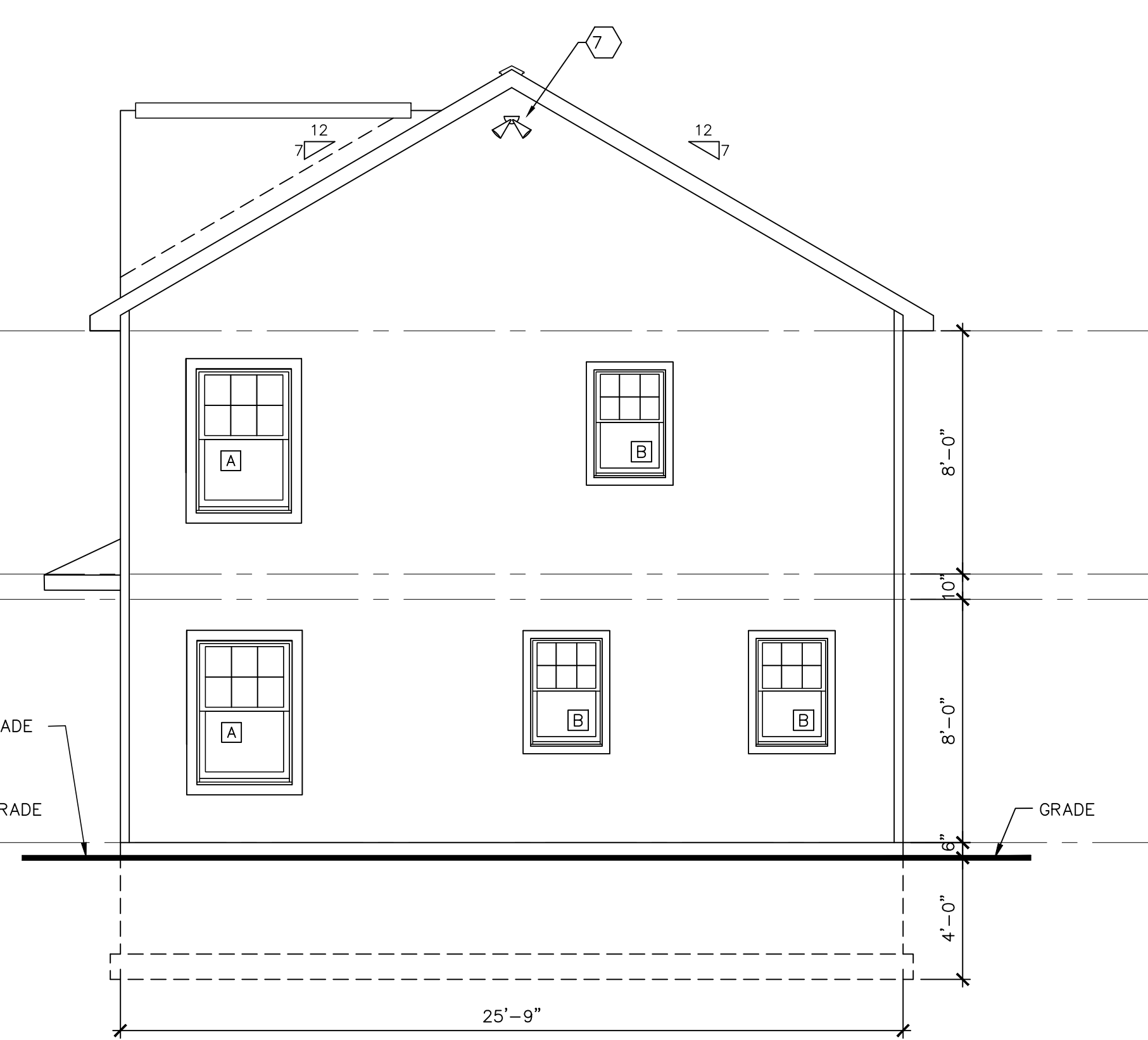
SHEET NO.
A2
BUILDING B

Revisions	No.	Date:	Description:

CIA
IN THE SPIRIT OF COOPERATION



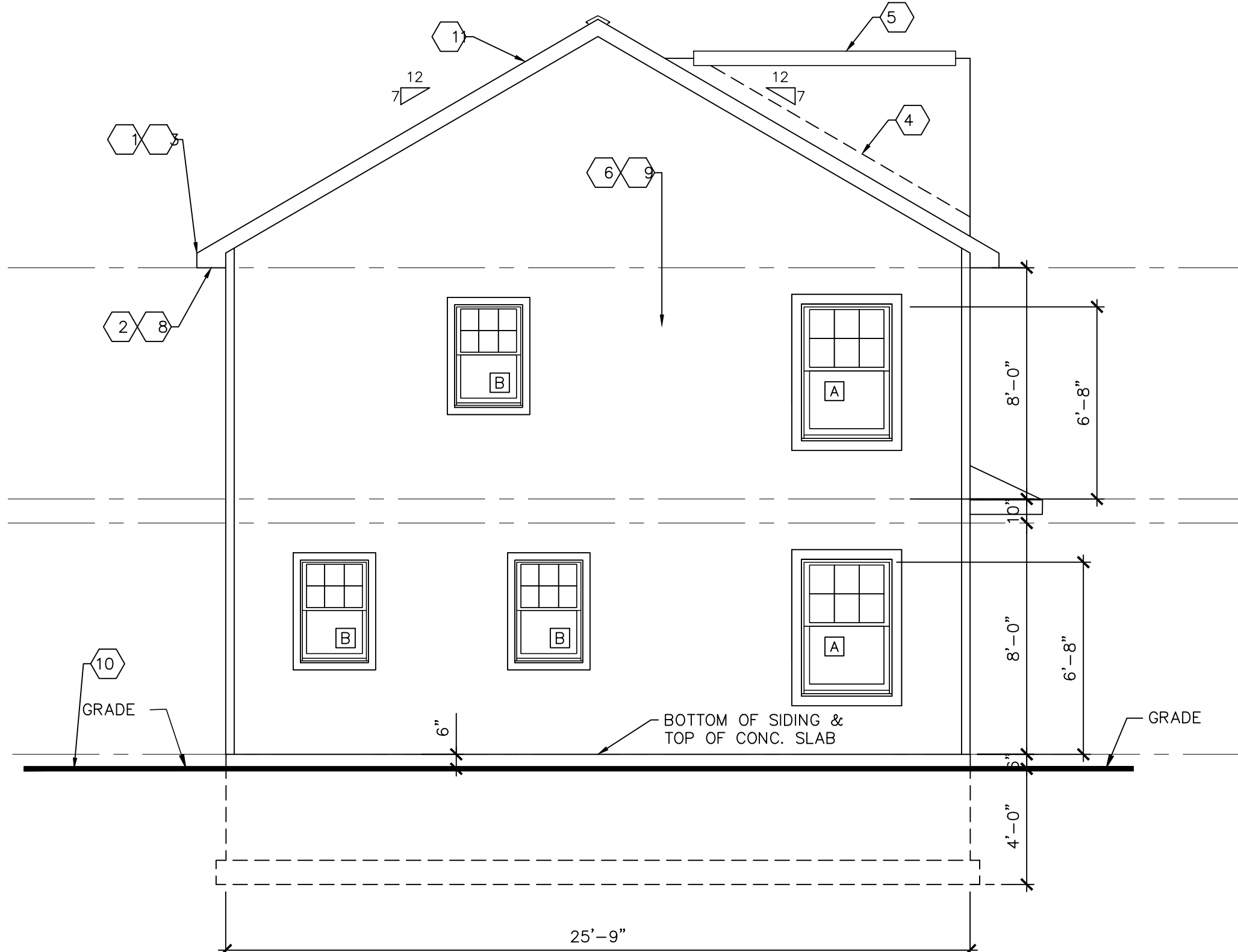
1 FRONT ELEVATION
A3 SCALE: 1/4" = 1'-0"



2 RIGHT SIDE ELEVATION
A3 SCALE: 1/4" = 1'-0"



3 REAR ELEVATION
A3 SCALE: 1/4" = 1'-0"



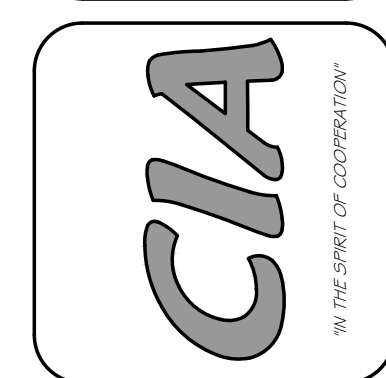
4 LEFT SIDE ELEVATION
A3 SCALE: 1/4" = 1'-0"

- EXTERIOR MATERIALS**
- CONTINUOUS WHITE ALUMINUM FASCIA & CONTINUOUS ALUMINUM DRIP EDGE
 - CONTINUOUS FULLY VENTED WHITE VINYL SOFFIT.
 - INSTALL 6" WHITE ALUMINUM GUTTERS & DOWN SPOUTS
 - 36" ICE & WATER SHIELD IN VALLEYS & 24" IN FROM STUD WALLS ON RAKES & EAVES.
 - CONTINUOUS "SNOW COUNTRY RIDGE VENT" BY GAF
 - BEIGE COLORED VINYL SIDING AND TRIM.
 - INSTALL DUAL HEAD FLOOD LIGHTS TO ILLUMINATE WALKWAY & REAR PARKING LOT.
 - INSTALL LED SOFFIT LIGHTS TO ILLUMINATE PERIMETER OF BUILDING.
 - EXTERIOR WALLS - 7/16" OSB SHEATHING w/ TYVEK HOUSE WRAP OVER 2x6 STUDS @16"o.c. w/ R-21 INSULATION.
 - SLOPE GRADE AWAY FROM BUILDING.
 - INSTALL GAF 235 LB. TIMBERLINE ARCHITECTURAL ASPHALT ROOF SHINGLES (COLOR PEWTER GRAY).
 - INSTALL LIGHT ABOVE ENTRY DOORS TO ILLUMINATE SIDEWALK.

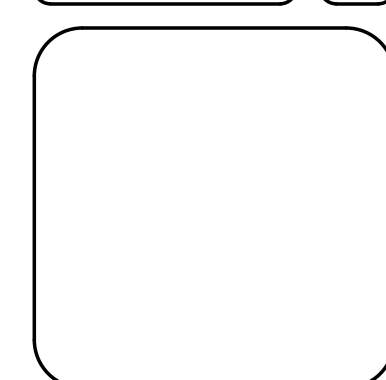
WINDOW SCHEDULE (PER BUILDING) (ANDERSON SERIES 100)							SYMBOL 	
MARK	SIZE	ANDERSEN #	QUAN.	DESCRIPTION	R.O.	EMERGENCY EGRESS COMPLIANT	CLEAR OPENING	GLASS AREA
A	2'-11 1/2" x 4'-11 1/2"	3050	27	SINGLE HUNG	3'-0" x 5'-0"	YES	5.79	11.95
B	2'-5 1/2" x 3'-5 1/2"	2636	9	SINGLE HUNG	2'-6" x 3'-6"	NO	3.08	6.44

- WINDOW & DOOR NOTES:**
- EACH HABITABLE SPACE IS PROVIDED WITH AT LEAST ONE WINDOW THAT IS IN COMPLIANCE WITH NYS CODE REGULATIONS FOR USE AS AN EMERGENCY EGRESS.
 - ALL HABITABLE SPACES ARE IN COMPLIANCE WITH NYS CODE REQUIREMENTS FOR NATURAL LIGHT AND NATURAL VENTILATION.
 - ALL WINDOWS ARE INSULATED AND WEATHERSTRIPPED.
 - WINDOW MANUFACTURER TO PROVIDE TEMPERED GLASS WHERE REQUIRED BY CODE (WHERE GLASS IS WITHIN 18" OF FLOOR OR LOWER).
 - VERIFY WINDOW MODEL NUMBERS AND SIZES WITH MANUFACTURER BEFORE STARTING CONSTRUCTION.

Revisions		Description:
No.	Date:	

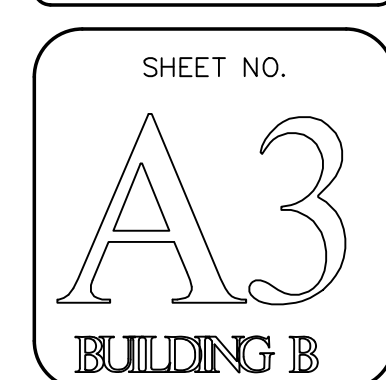


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DRAWN BY: A.K.S.	CHECKED BY: C.I.	ISSUED DATE: 22 AUG, 2023



EXTERIOR ELEVATIONS	
PROPOSED NEW BUILDING "B" FOR: 21ST CENTURY LIVING, LLC	
5-9 MORGAN AVENUE POUGHKEEPSIE NEW YORK 12601	

Project Number.	22-09
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PROPOSED NEW BUILDING "B" FOR:
5-9 MORGAN AVENUE
CITY OF POUGHKEEPSIE, N. Y.

GENERAL NOTES:

- ALL WORK TO BE DONE BY EXPERIENCED CRAFTSMEN SKILLED IN THEIR TRADE AND IN A WORKMANLIKE MANNER IN ACCORDANCE WITH ALL STATE AND LOCAL BUILDING CODES, RULES AND REGULATIONS.
- ALL CONCRETE TO BE MIN. 3000 PSI COMPRESSIVE STRENGTH AT 28 DAYS.
- ALL CONCRETE FOOTINGS TO BEAR ON UNDISTURBED VIRGIN SOIL OR SUITABLE ROCK. STEP FOOTINGS AS REQUIRED TO MAINTAIN MIN. 4'-0" COVER BELOW GRADE.
- CONTRACTOR SHALL NOTIFY ARCHITECT IF QUESTIONABLE SOIL CONDITIONS ARE ENCOUNTERED AT SITE.
- ALL FRAMING LUMBER TO BE S-P-F OR HEM-FIR, CONSTRUCTION GRADE. JOISTS, HEADERS, RAFTERS AND GIRDERS TO BE DOUGLAS FIR NUMBER TWO, OR BETTER.
- ALL HEADERS TO BE MIN. 2-x10, UNLESS NOTED OTHERWISE, ALL HEADERS AND GIRDERS TO BE GLUED AND NAILED.
- DOUBLE RAFTERS AROUND ROOF OPENING FOR SKYLIGHTS IF APPLICABLE.
- DIMENSIONS ARE FROM FACE OF STUD OR STRUCTURE, OR CENTERLINE OF MEMBER/OPENING.
- WINDOW NUMBERS REFER TO ANDERSEN OR MARVIN. ADJUST ROUGH OPENINGS AND DIMENSIONS IF A DIFFERENT MANUFACTURER IS USED. SEE WINDOW SCHEDULE.
- THERE SHALL BE NO SUBSTITUTIONS WITHOUT WRITTEN APPROVAL BY THE OWNER AND ARCHITECT. THE ARCHITECT IS NOT RESPONSIBLE FOR COMPLICATIONS ARISING FROM UNAUTHORIZED SUBSTITUTION OF MATERIAL SIZE OR TYPE.
- INSULATE EXTERIOR WALL WITH R-21 FIBERGLASS BATT INSULATION. INSULATE CEILINGS WITH R-38. INSULATE FLOORS WITH R-30.
- PLUMBING AND ELECTRICAL CONTRACTORS ARE RESPONSIBLE TO MEET THE LATEST REVISIONS TO THE N.Y.S. ENERGY CONSERVATION CONSTRUCTION CODE FOR THEIR RESPECTIVE TRADE.
- ALL MATERIALS, ASSEMBLIES, CONSTRUCTION AND EQUIPMENT SHALL CONFORM TO THE REGULATIONS OF THE RESIDENTIAL CODE OF N.Y.S. AND SHALL CONFORM TO GENERALLY ACCEPTED STANDARDS.
- THOSE ITEMS NOT NOTED, BUT IMPLIED AS NECESSARY FOR THE PERFORMANCE OF THE WORK ARE CONSIDERED PART OF THE CONTRACT.
- ALL NEW INTERIOR DRYWALL TO BE 1/2" REGULAR GYPSUM BOARD UNLESS NOTED OTHERWISE. USE 1/2" M.R. DRYWALL IN BATHROOMS.
- ALL CLOSETS TO HAVE RODS AND SHELVES.
- ALL BEAMS AND HEADERS OVER 4'-0" SPAN TO BE GLUED AND NAILED. ALL MULTIPLE PIECE STRUCTURAL MEMBERS SHALL BE GLUED AND NAILED.
- USE PRESSURE TREATED LUMBER FOR PORCH AND DECK STRUCTURES.
- EXTERIOR WALLS ARE FRAMED WITH 2x6 STUDS AND INTERIOR WALLS ARE FRAMED WITH 2X4 STUDS UNLESS NOTED OTHERWISE.
- ALL MATERIALS SHALL BE ASSEMBLED IN ACCORDANCE WITH THE N.Y.S. BUILDING CODE, INCLUDING PROPER MATERIAL TYPE AND DIMENSIONS AND PROPER QUANTITY AND TYPE OF FASTENERS.

ENERGY CONSERVATION:

- CONSTRUCTION ENVELOPE DESIGNED BY ACCEPTABLE STANDARDS FOR CLIMATE ZONE 5A (DUTCHESS COUNTY) WITH MINIMUM "R" VALUES AS FOLLOWS:
WALLS- R21
ROOF- R38 (EXTEND TO OUTSIDE FACE OF EXTERIOR STUD & INSTALL "ACCUCENT" BAFFLE.)
FLOOR- R30
SLAB EDGE- R-10 (NON RADIANT HEAT)
GLAZING- U 0.32
DOORS- R 2.5
BASEMENT WALLS- R-19

INSULATION:

- PROVIDE FIBERGLAS BATT INSULATION WITH 4 MIL POLYETHYLENE VAPOR BARRIER IN WALLS, CEILINGS, FLOORS AND WHERE INDICATED ON DRAWINGS. FOLLOW MANUFACTURER'S INSTRUCTIONS FOR USE AND INSTALLATION.
- FOUNDATION AND SLAB RIGID BOARD INSULATION WHERE INDICATED TO BE RIGID EXTRUDED POLYSTYRENE TYPE OR APPROVED EQUAL.
- ALL INSULATION REGARDLESS OF MATERIAL SHALL BE COVERED WITH 1/2" DRY WALL OR CONCRETE IF SLAB EDGE INSULATION.

FIRE SAFETY:

- SUPPLY AND INSTALL LINE VOLTAGE IONIZED SMOKE DETECTOR ALARMS AND CARBON MONOXIDE DETECTORS AS SHOWN ON PLANS ON ALL FLOOR LEVELS, IN ALL SLEEPING ROOMS, AT STAIRWELLS, AND AS REQUIRED BY LOCAL AUTHORITY IF NOT SHOWN ON PLANS.
- SMOKE AND CARBON MONOXIDE DETECTORS ON CATHEDRAL CEILINGS SHALL BE LOCATED AT THE HIGH POINT OF THE CEILING (SEE PLAN FOR LOCATION).
- ALL SMOKE AND CARBON MONOXIDE DETECTORS SHALL BE WIRED TOGETHER SO THAT IF ONE IS ACTIVATED, ALL WILL SOUND AN ALARM.
- IF REQUIRED BY LOCAL CODE OFFICIAL, ALL SMOKE AND CARBON MONOXIDE DETECTORS SHALL BE INSTALLED BY A LICENSED ALARM INSTALLER.

SMOKE ALARM NOTES: SMOKE ALARMS SHALL BE INSTALLED IN THE FOLLOWING LOCATIONS:

- IN EACH SLEEPING ROOM.
- OUTSIDE EACH SEPARATE SLEEPING AREA IN THE IMMEDIATE VICINITY OF THE BEDROOM.
- ON EACH ADDITIONAL STORY OF THE DWELLING, INCLUDING BASEMENTS AND HABITABLE ATTICS. NO DETECTORS ARE REQUIRED IN CRAWL SPACES (BELOW-GRADE SPACE LESS THAN 6 FEET, 8 INCHES IN HEIGHT) AND UNINHABITABLE ATTICS.

CARBON MONOXIDE ALARMS: CARBON MONOXIDE ALARMS SHALL BE INSTALLED IN THE FOLLOWING LOCATIONS:

- WITHIN EACH DWELLING UNIT ON ANY STORY HAVING A SLEEPING AREA.
- ON ANY STORY OF A DWELLING UNIT WHERE FUEL-FIRED APPLIANCES AND EQUIPMENT, SOLID-FUEL BURNING APPLIANCES AND EQUIPMENT, FIREPLACES OR ATTACHED GARAGES ARE LOCATED. A CARBON MONOXIDE ALARM INSTALLED ON ANY STORY OF A DWELLING UNIT HAVING A SLEEPING AREA SHALL SUFFICE FOR THAT STORY WHERE FUEL-FIRED APPLIANCES AND EQUIPMENT, SOLID-FUEL BURNING APPLIANCES AND EQUIPMENT, FIREPLACES OR ATTACHED GARAGES ARE ALSO LOCATED.

ELECTRICAL NOTES:

- ALL OUTLETS IN ALL BATHROOMS, AND KITCHEN AREAS SHALL BE
- IF REQUIRED BY LOCAL CODE OFFICIAL, ALL ELECTRICAL WORK SHALL BE INSTALLED BY A LICENSED ELECTRICIAN.

PLUMBING:

- PLUMBER SHALL FILE FOR PERMITS AND SECURE APPROVALS. USE ONLY LEAD FREE SOLDER.

OSHA NOTE:

- CONTRACTOR SHALL OBSERVE ALL OSHA REQUIREMENTS & REGULATIONS THAT PERTAIN TO THIS PROJECT. FOR REFERENCE, DOWNLOAD A COPY OF THE OSHA REGULATIONS FROM THE UNITED STATES DEPARTMENT OF LABOR OSHA WEB SITE. <http://www.osha.gov/law-regs.html>
- CONTRACTOR SHALL FOLLOW THESE REGULATIONS AS SPECIFIED AND REFER TO THE ABOVE REFERENCED WEB SITE FOR GUIDANCE.

CONTRACTOR NOTE:

- CONTRACTOR SHALL DOWNLOAD A COPY OF THE "PRESCRIPTIVE RESIDENTIAL WOOD DECK CONSTRUCTION GUIDE" FROM THE AMERICAN WOOD COUNCIL WEB SITE. <http://www.awc.org/publications/DCA/DCA6/DCA6-09.pdf>
- CONTRACTOR SHALL DOWNLOAD A COPY OF THE "DETAILS FOR CONVENTIONAL WOOD FRAME CONSTRUCTION" FROM THE AMERICAN WOOD COUNCIL WEB SITE. <http://www.awc.org/pdf/WCD1-300.pdf>
- CONTRACTOR SHALL DOWNLOAD A COPY OF THE "DESIGN OF WOOD FRAME STRUCTURES FOR PERMANENCE" FROM THE AMERICAN WOOD COUNCIL WEB SITE. <http://www.awc.org/pdf/WCD6.pdf>
- CONTRACTOR CAN OBTAIN MORE INFORMATION ON SYSTEMS AT [HTTP://WWW.ICC-ES.ORG/REPORTS](http://www.icc-es.org/REPORTS)
- CONTRACTOR SHALL FOLLOW THESE DRAWINGS AS SPECIFIED AND REFER TO THE ABOVE REFERENCED DOCUMENTS FOR GUIDANCE.

CONCRETE & MASONRY:

- ALL FOOTINGS SHALL BEAR ON UNDISTURBED EARTH OF 1 1/2 TON CAPACITY OR LEDGE ROCK.
- STEPPED FOOTINGS SHALL HAVE A MAXIMUM STEP OF 2' VERTICAL AND 4' HORIZONTAL.
- BOTTOM OF FOOTINGS ON SOIL SHALL BE BELOW LOCAL CODE FROST LINE. PROTECT FROM FREEZING.
- CONCRETE FOR POURED IN PLACE CONSTRUCTION SHALL CONFORM TO ACI 318-77 AND SHALL HAVE A MIN. STRENGTH OF 3000 PSI AT 28 DAYS. POUR ONLY IN TEMP. ABOVE 40 DEGREES.
- WHERE ROCK TO EARTH TRANSITION OCCURS, USE DEFORMED REBARS AS REQUIRED BY ARCHITECT. NOTIFY ARCHITECT IN EVENT OF THIS CONDITION.
- FOUNDATION WALLS ARE TO HAVE 1/2" DIA. x 12" LONG THREADED ANCHOR BOLTS AT 6'-0" O.C. MAX.
- SLABS ARE TO BE POURED ON GRAVEL OR CRUSHED STONE BASE. PROVIDE 6 MIL POLY. VAPOR BARRIER ON BASEMENT AND CRAWL SPACE SLABS. REINFORCE WITH GRADE 40 WELDED WIRE MESH.
- IF USED, CONCRETE MASONRY WALLS ARE TO CONFORM TO THE LATEST EDITION OF NATIONAL CONCRETE MASONRY ASSOCIATION AND APPLICABLE STATE CODES. TOP COURSE FILLED SOLID.
- IF USED, CONCRETE BLOCK SHALL BE OF THE FOLLOWING TYPE: ASTM C-90 GRADE N-1, ASTM C-145 GRADE N-1 ALL MORTAR SHALL BE ASTM C-270 TYPE S.

FOUNDATION NOTES:

- ALLOWABLE SAFE SOIL BEARING CAPACITY IS ASSUMED TO BE 3000 PSF. THE CONTRACTOR SHALL VERIFY SOIL CONDITIONS AND CAPACITY AND INFORM THE ARCHITECT IN WRITING IF LESS THAN 3000 PSF PRIOR TO STARTING ANY WORK.
- POURED CONCRETE FOOTINGS, PIERS, FOUNDATIONS AND SLABS SHALL DEVELOP A MINIMUM COMPRESSIVE STRENGTH OF 3000 PSI IN TWENTY EIGHT DAYS.
- MINIMUM DEPTH OF FOUNDATION FOOTINGS SHALL BE 4'-0" BELOW ALL FINISHED GRADES. ALL FOOTINGS SHALL BEAR ON UNDISTURBED VIRGIN SOIL. DO NOT POUR ANY CONCRETE ON WET, DAMP OR FROZEN SOIL.
- REINFORCING FOR CONCRETE WALLS SHALL HAVE TWO ROWS OF NO. 4 BARS AT THE TOP AND BOTTOM OF THE WALL WITH NO. 4 BARS AT 4'-0" ON CENTER VERTICAL AND HORIZONTAL, SEE DETAILS FOR ADDITION REINFORCING. REINFORCING FOR FOOTINGS SHALL BE TWO NO.4 BARS CONTINUOUS. SLAB REINFORCING SHALL BE 6"x6" - #10/#10 WELDED WIRE FABRIC. REINFORCING BARS SHALL BE DEFORMED STEEL BARS, ASTM A615 GRADE 60.
- ALL COLUMNS SHALL BE CONCRETE FILLED LALLY COLUMNS UNLESS NOTED OTHERWISE.
- BEARING FOR ALL BEAMS SHALL BE 6" MINIMUM.
- APPLY BITUMINOUS MASTIC FOUNDATION DAMP PROOFING TO THE EXTERIOR OF ALL CONCRETE FOUNDATION WALLS.

GENERAL FRAMING NOTES:

- ALL JOISTS AND RAFTERS SHALL BE ALIGNED OVER STUDS BELOW.
- INSTALL DOUBLE FLOOR JOISTS UNDER PARTITION WALLS FRAMED PARALLEL TO JOIST DIRECTION.
- ALL EXTERIOR SHEATHING SHALL BE 1/2"CDX PLYWOOD. NAILING SCHEDULE SHALL BE 8d COMMONS AT 6" O.C. AT ALL EDGES AND 8d COMMONS AT 12" O.C. AT ALL INTERMEDIATE STUDS. ALL COLUMNS OR SOLID FRAMING SHALL EXTEND DOWN THRU ALL LEVELS AND TERMINATE AT THE BASEMENT FLOOR AND BE SUPPORTED BY A THICKENED SLAB, GRADE BEAM, OR FOOTING DESIGNED TO CARRY LOAD.
- PROVIDE COLLAR TIES ON ALL RAFTERS AT UPPER 1/3 OF VERTICAL DISTANCE BETWEEN RIDGE BOARD AND CEILING JOISTS AT 16" O.C.
- HIP, VALLEY RAFTERS, AND RIDGE BOARDS SHALL BE ONE "2x" SIZE LARGER THAN RAFTERS OR AS SHOWN ON PLAN.
- ROOF DECKING SHALL BE 5/8" CDX PLYWOOD MINIMUM.
- ALL CEILING JOISTS AND RAFTER BRACING TO BEAR ON LOAD BEARING WALLS DESIGNED TO CARRY LOAD THRU ALL LEVELS AND TERMINATE AT BASEMENT FLOOR AND BE SUPPORTED BY THICKENED SLAB GRADE BEAM OR FOOTING DESIGNED TO CARRY LOAD.
- ALL ANCHOR BOLTS SHALL BE NYS CODE MINIMUM 1/2" DIA.x12" WITH A 7" EMBEDMENT, 1'-0" FROM CORNERS AND @ 6'-0"o.c. WITH SIMPSON WASHER #LB1/2 THRU OUT.
- SHEATHING TO BE 5/8" EXTERIOR PLYWOOD, FOR ROOFS AND 1/2" EXTERIOR PLYWOOD FOR WALLS.
- USE ONLY GALVANIZED OR NON CORROSIVE NAILING ON ALL EXTERIOR WORK.
- VENTILATE ALL SOFFITS AND PROVIDE "ACCUCENT" OR EQUAL TO ENSURE VENTILATION.
- ALL GLASS DOORS AND WINDOWS ARE TO BE AS SPECIFIED ON PLANS AND ARE TO HAVE SCREENS AND LOW - E INSULATING GLASS UNLESS OTHERWISE NOTED.

GENERAL CONDITIONS:

- ALL WORK SHALL CONFORM TO ALL GOVERNING CODES AND ORDINANCES INCLUDING THE STATE BUILDING CODE AND LOCAL ZONING AND STATE ENERGY CODE.
- CONTRACTOR SHALL CARRY WORKMAN'S COMP. LIABILITY INSURANCE AS REQUIRED BY LAW, AND BY OWNER AND SHALL PROTECT OWNER FROM ALL LIABILITY WITH ADEQUATE INSURANCE.
- CONTRACTOR SHALL SECURE ALL NECESSARY PERMITS, INSPECTIONS AND FINAL CERTIFICATION OF OCCUPANCY
- CONTRACTOR SHALL CHECK, ALL DIMENSIONS AND CONDITIONS, AND NOTIFY ARCHITECT IMMEDIATELY OF ANY DISCREPANCIES.
- CONTRACTOR SHALL PROTECT PREMISES AND OCCUPANTS FROM HARM ON THE BUILDING SITE. PROVIDE AND MAINTAIN NECESSARY COVERINGS AND PROTECTION FOR ALL MATERIALS AND EQUIPMENT STORED ON SITE FROM DAMAGE OR THEFT.
- REMOVE ALL DEBRIS AND KEEP SITE CLEAN AND NEAT AT ALL TIMES.

FIRE RESISTIVE RATINGS

LOCATION RATING	REQ'D
SEPARATION BETWEEN UNITS	2 HR.

LIST OF DRAWINGS

DWG. NO.	TITLE
T1	TITLE SHEET
A1	FOUNDATION & ROOF PLANS & SCHEDULES
A2	FIRST & SECOND FLOOR PLANS & TABLE
A3	EXTERIOR ELEVATIONS

BUILDING DEPARTMENT NOTES

BUILDING CODE CLASSIFICATIONS

- OCCUPANCY CLASSIFICATION: R2 APARTMENTS
- CONSTRUCTION CLASSIFICATION: TYPE V - WOOD FRAME
- CONSTRUCTION AREA - FIRST FLOOR = 1,555 SQUARE FEET
- SECOND FLOOR = 1,555 SQUARE FEET

PARTITION LEGEND

NEW DRYWALL PARTITION WOOD STUDS @ 16" O.C. WITH (1) LAYER OF 1/2" G.W.B. ON EACH SIDE (STANDARD CONSTRUCTION)

NOTE:
BEFORE ANY DIGGING ON THE SITE TAKES PLACE, THE CONTRACTOR MUST FIRST CALL THE UNDERGROUND FACILITIES PROTECTION ORGANIZATION (UFPD) AT 1-800-962-7962 TO IDENTIFY AND LOCATE ALL UNDERGROUND FACILITIES.

THIS DRAWING IS AN INSTRUMENT OF SERVICE. THE PROPERTY OF CRO INTERRANTE ARCHITECT, P.C. THE DRAWINGS IN THIS BOOK, INCLUDING ANY PARTS THEREOF, ARE TO BE USED ONLY BY THE CLIENT NAMED AND FOR THE LOCATION DESIGNATED IN THE TITLE BLOCK. THE DRAWINGS MAY NOT BE REPRODUCED AND THE DESIGN DEPICTED THEREON MAY NOT BE REPRODUCED, COPIED OR OTHERWISE USED FOR ANY OTHER PROJECT OR FOR ANY OTHER PERSON WITHOUT THE WRITTEN PERMISSION OF CRO INTERRANTE ARCHITECT. CRO INTERRANTE ARCHITECT, P.C. RESERVES THE RIGHT TO RECALL THESE DRAWINGS FROM ANY PERSON FOR ANY REASON.

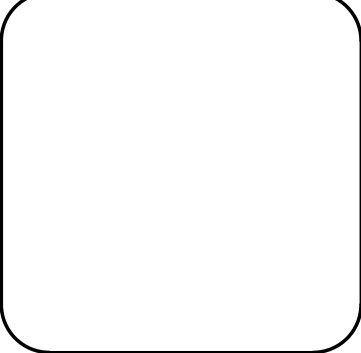
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Revisions	No.	Date:	Description:



CIRO INTERRANTE ARCHITECT, P.C.
85 MARKET STREET
POUGHKEEPSIE, NEW YORK 12601
(845) 473-7572 Office (845) 473-7525 Fax

DRAWN BY: A.K.S. CHECKED BY: C.I. ISSUED DATE: 22 AUG, 2023



COVER SHEET

PROPOSED NEW BUILDING "B" FOR:
21ST CENTURY LIVING, LLC
5-9 MORGAN AVENUE
POUGHKEEPSIE NEW YORK 12601

Project Number. 22-09

SHEET NO.

T1

TITLE SHEET

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information							
Name of Action or Project: 7 MORGAN AVENUE							
Project Location (describe, and attach a location map): VACANT LOT LOCATED 1/10 MILE SOUTH OF COTTAGE STREET ON EAST SIDE OF MORGAN AVENUE							
Brief Description of Proposed Action: CONSTRUCT A NEW 3 UNIT APPARTMENT BUILDING AND A NEW 6 UNIT APPARTMENT BUILDING ON A VACANT LOT.							
Name of Applicant or Sponsor: PATTERSON CALHOUN, LLC		Telephone: 845-380-8627					
		E-Mail: JAMES.AA.PATTERSON@GMAIL.COM					
Address: 10 FITCHETT STREET							
City/PO: POUGHKEEPSIE		State: NY	Zip Code: 12601				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 2px;">NO</td> <td style="width: 50%; padding: 2px;">YES</td> </tr> <tr> <td style="text-align: center; padding: 2px;">☒</td> <td style="text-align: center; padding: 2px;">☐</td> </tr> </table>	NO	YES	☒	☐
NO	YES						
☒	☐						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: PLANNING BOARD - SITE PLAN APPROVAL			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 2px;">NO</td> <td style="width: 50%; padding: 2px;">YES</td> </tr> <tr> <td style="text-align: center; padding: 2px;">☐</td> <td style="text-align: center; padding: 2px;">☒</td> </tr> </table>	NO	YES	☐	☒
NO	YES						
☐	☒						
3.a. Total acreage of the site of the proposed action?		0.317 acres					
b. Total acreage to be physically disturbed?		0.153 acres					
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.317 acres					
4. Check all land uses that occur on, adjoining and near the proposed action. ☒ Urban ☐ Rural (non-agriculture) ☒ Industrial ☒ Commercial ☒ Residential (suburban) ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____ ☐ Parkland							

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	☐	☒	☐
b. Consistent with the adopted comprehensive plan?	☐	☒	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	☐	☒	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	☒	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	☒	☐	
b. Are public transportation service(s) available at or near the site of the proposed action?	☐	☒	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	☐	☒	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____	☐	☒	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____	☐	☒	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____	☐	☒	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
	☒	☐	
b. Is the proposed action located in an archeological sensitive area?	☒	☐	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	☒	☐	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	☒	☐	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____			
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:			
☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional			
☐ Wetland ☒ Urban ☐ Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
	☒	☐	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	☒	☐	
17. Will the proposed action create storm water discharge, either from point or non-point sources?	NO	YES	
If Yes,			
a. Will storm water discharges flow to adjacent properties? ☒ NO ☐ YES	☐	☒	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?			
If Yes, briefly describe: ☐ NO ☒ YES			
CITY OF POUGHKEEPSIE MUNICIPLE STORM WATER SYSTEM			

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____ _____	NO	YES
	☒	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____ _____	NO	YES
	☒	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____ _____	NO	YES
	☒	☐
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>Ciro Interrante</u> Date: <u>6-6-23</u> Signature: _____		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	☐	☐
2. Will the proposed action result in a change in the use or intensity of use of land?	☐	☐
3. Will the proposed action impair the character or quality of the existing community?	☐	☐
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	☐	☐
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	☐	☐
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	☐	☐
7. Will the proposed action impact existing:	☐	☐
a. public / private water supplies?	☐	☐
b. public / private wastewater treatment utilities?	☐	☐
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	☐	☐
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	☐	☐

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	☐	☐
11. Will the proposed action create a hazard to environmental resources or human health?	☐	☐

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

☐	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
☐	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
Name of Lead Agency Date	
Print or Type Name of Responsible Officer in Lead Agency Title of Responsible Officer	
Signature of Responsible Officer in Lead Agency Signature of Preparer (if different from Responsible Officer)	

PRINT





**THE CITY OF POUGHKEEPSIE
NEW YORK**

DEVELOPMENT DEPARTMENT
62 CIVIC CENTER PLAZA, 2ND FLOOR
POUGHKEEPSIE, NY 12601
Phone: (845) 451-4263 Fax: (845) 451-4006

MEMORANDUM

To: Patterson Calhoun, LLC

From: Tyler Maegerle, Junior Planner

Date: 9/12/23

Re: 7 Morgan Avenue

Upon review of project materials provided by the applicant, including Short EAF Part 1 and site plan application, it is my understanding that the proposed action to be undertaken includes construction of two two-story apartment buildings. One with six two-bedroom apartments, and another with three apartments.

Based on the above description it is the determination of the planning division that the proposed action is classified as Type II Action with regards to SEQRA pursuant to 6 NYCRR Section 617.5 (c)(11) replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building, energy, or fire codes unless such action meets or exceeds any of the thresholds in section 617.4 of this Part;.” The action is therefore not subject to further environmental review.



**THE CITY OF POUGHKEEPSIE
NEW YORK
PLANNING & ZONING
62 CIVIC CENTER PLAZA, 2ND FLOOR
POUGHKEEPSIE, NY 12601
Phone: (845) 451-4055 Fax: (845) 451-4006**

FEE: \$350.00
CODE: A2112
ID# _____
IPS# _____

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION

PROPERTY ADDRESS: 7 MORGAN AVENUE
ZONING DISTRICT: R-4

OWNER INFORMATION:

Name: PATTERSON CALHOUN, LLC
Address: 10 FITCHETT STREET
POUGHKEEPSIE, N.Y. 12601
Phone: 845-380-8627
Email: JAMES.AA.PATTERSON@GMAIL.COM

APPLICANT INFORMATION:

Name: PATTERSON CALHOUN, LLC
Address: 10 FITCHETT STREET
POUGHKEEPSIE, N.Y. 12601
Phone: 845-380-8627
Email: JAMES.AA.PATTERSON@GMAIL.COM

CONSULTANT INFORMATION:

Name: CIRO ENTERRANTE ARCHITECT, P.C.
Address: 25 MARKET STREET SUITE 3
POUGHKEEPSIE, N.Y. 12601
Phone: 845-473-7572
Email: CIROINT@GMAIL.COM

SUBJECT OF APPEAL

This application relative to the above referenced property constitutes an appeal from the decision, determination or violation of an official of the City of Poughkeepsie.

Name and title of agent: JOSEPH D. O'BRIEN

Date of decision/determination/violation: JULY 20, 2023

Please note that a copy of the communication must be attached with this application.

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION
PROPERTY ADDRESS: 7 MORGAN AVENUE

AREA VARIANCE REQUESTS

All sections under this heading must be answered completely. Bear in mind that a variance is actually relief from the strict application of the requirements of the law (the Zoning Ordinance), and the Zoning Board of Appeals is required to give sound reasons, based on the criteria set forth in this application, for granting any such relief.

SECTION	REQUIRING/PROHIBITING	REQUESTED VARIANCE
19-3.15(4)(c)	36,000 Φ	22,200 Φ
19-3.15(4)(c) 2	15'	9'
19-4.15(4)(f)	20'	10'
19-3.15(4)(i)	3,600 Φ	
19-4.3(5)(a)	15'	1'
19-4.3(5)(b)	20'	2'
19-4.3(5)(c)	LIGHTING	
19-4.3(11)(a)	18 PARKING SPACES	5 PARKING SPACES
19-4.13(2)	SIDE OR REAR YARD PARKING	1 PARKING SPACES
19-4.14(3)(a)	10' TO WINDOW WALL	4 FEET

VARIANCE REQUEST JUSTIFICATION

Pursuant to Section 19-8.4 (2) (d) of the Zoning Ordinance, the Zoning Board of Appeals, in making its determination, shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such granting.

Bear in mind that a variance is actually relief from the strict application of the requirements of the law (the Zoning Ordinance), and the Zoning Board of Appeals is required by law to give sound reasons, based on the criteria set forth in this application, for granting any such relief. **Please note that it is therefore incumbent upon the applicant to demonstrate to the Board that the criteria for the granting of the variance(s) are satisfied.**

Responses to the following questions shall be attached to and submitted with the application.

- 1) Will the granting of the variance produce an undesirable change in the character of the neighborhood or be a detriment to nearby properties? If not, please explain why.
- 2) Can the benefit sought be achieved by some other method feasibly for the applicant to pursue, other than an area variance? Identify what alternatives to the variance, if any, have been explored (for example, alternative designs, purchasing of contiguous properties, etc.). Why is the variance necessary?
- 3) Is/are the requested area variance(s) substantial? Explain why they are not substantial.
- 4) Will the variance(s) have an adverse affect or impact on the physical or environmental conditions in the neighborhood or district? Why not?
- 5) Is the need for the area variance(s) the result of self-created difficulties on your part, or unique to the property? Explain.

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION
PROPERTY ADDRESS: 7 MORGAN AVENUE

LIST OF REQUIRED ATTACHMENTS

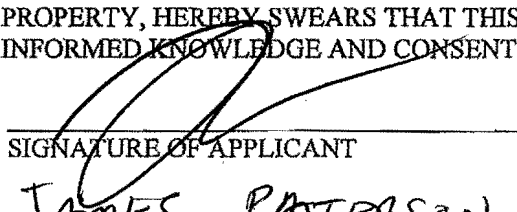
- ✓1. Letter or communication which resulted in application to the ZBA.
- 2. Site or Plot Plan: Nine (9) copies.
- 3. Color photos of site conditions: Nine (9) copies
- ✓4. Complete Short EAF
- 5. Electronic file submission of the plot plan and color photos
- 6. Other attachments deemed pertinent by the applicant (please list):

SEE EXHIBIT "A"

SIGNATURE AND VERIFICATION

Please be advised that no application can be deemed complete unless signed below.

THE APPLICANT HEREBY STATES THAT ALL INFORMATION GIVEN IS ACCURATE AS OF THE DATE OF APPLICATION. THE APPLICANT, IF NOT THE OWNER OF THE PROPERTY, HEREBY SWEARS THAT THIS APPLICATION IS MADE WITH THE INFORMED KNOWLEDGE AND CONSENT OF THE OWNER.


SIGNATURE OF APPLICANT

8/11/23
DATE

JAMES PATTERSON
Print Name

CIA

**Ciro Interrante Architect, P.C.
25 Market Street, 3rd Floor
Poughkeepsie, New York 12601**

(845) 473-7572

July 29, 2023

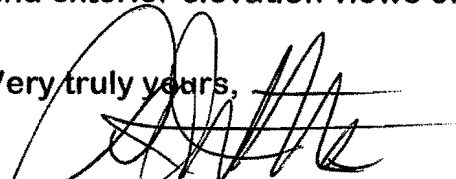
**Zoning Board
City of Poughkeepsie
PO Box 300
Poughkeepsie, NY 12602**

**RE: Cover Letter
7 Morgan Avenue
Poughkeepsie, New York 12601**

Dear Zoning Board:

The proposal is to construct two two-story apartment buildings on an existing vacant lot in the City of Poughkeepsie located at 7 Morgan Ave. The existing empty lot is located on the east side of Morgan Avenue approximately halfway between Cottage Street and Mansion Street. One of the two-story buildings will contain 6 two bedroom apartments three on the first floor and three on the second floor. The other two-story building will contain three two-story apartments. On-site parking is provided via one common access drive located between the two buildings. Please review the attached site plan and the proposed building floorplans and exterior elevation views of the proposed project for further understanding.

Very truly yours,


Ciro Interrante, Architect

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information							
Name of Action or Project: 100 CANNON STREET							
Project Location (describe, and attach a location map): PROJECT IS LOCATED ON THE CORNER OF CANNON STREET AND SOUTH HAMILTON STREET							
Brief Description of Proposed Action: CONSTRUCT A NEW FENCE ALONG A PORTION OF SOUTH HAMILTON STREET AND FOR A SHORT DISTANCE ALONG THE SOUTH PROPERTY LINE.							
Name of Applicant or Sponsor: BISHOP DR. KENDRICK McBEAN, PASTOR		Telephone: 845-591-8787					
		E-Mail: KJMCBEAN@GMAIL.COM					
Address: 100 CANNON STREET							
City/PO: POUGHKEEPSIE		State: NY	Zip Code: 12601				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 2px;">NO</td> <td style="width: 50%; padding: 2px;">YES</td> </tr> <tr> <td style="text-align: center; padding: 5px;">☒</td> <td style="text-align: center; padding: 5px;">☐</td> </tr> </table>	NO	YES	☒	☐
NO	YES						
☒	☐						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: ZONING BOARD APPROVAL			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 2px;">NO</td> <td style="width: 50%; padding: 2px;">YES</td> </tr> <tr> <td style="text-align: center; padding: 5px;">☐</td> <td style="text-align: center; padding: 5px;">☒</td> </tr> </table>	NO	YES	☐	☒
NO	YES						
☐	☒						
3.a. Total acreage of the site of the proposed action? _____ 1.22 acres b. Total acreage to be physically disturbed? _____ 0.0 acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 1.22 acres							
4. Check all land uses that occur on, adjoining and near the proposed action. ☒ Urban ☐ Rural (non-agriculture) ☒ Industrial ☒ Commercial ☒ Residential (suburban) ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____ ☐ Parkland							

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	☐	☒	☐
	☐	☒	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	☐	☒	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	☒	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation service(s) available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	NO	YES	
	☒	☐	
	☐	☒	
	☐	☒	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO	YES	
	☐	☒	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO	YES	
	☐	☒	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	☐	☒	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? b. Is the proposed action located in an archeological sensitive area?	NO	YES	
	☒	☐	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	NO	YES	
	☒	☐	
	☒	☐	
	☐	☐	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☒ Urban ☐ Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
	☒	☐	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	☒	☐	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? ☐ NO ☐ YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	NO	YES	
	☒	☐	

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____	NO ☒	YES ☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO ☒	YES ☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO ☒	YES ☐
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>CIRO INTERRANTE</u> Date: <u>8-18-23</u> Signature: _____		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept “Have my responses been reasonable considering the scale and context of the proposed action?”

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	☐	☐
2. Will the proposed action result in a change in the use or intensity of use of land?	☐	☐
3. Will the proposed action impair the character or quality of the existing community?	☐	☐
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	☐	☐
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	☐	☐
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	☐	☐
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?	☐ ☐	☐ ☐
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	☐	☐
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	☐	☐

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	☐	☐
11. Will the proposed action create a hazard to environmental resources or human health?	☐	☐

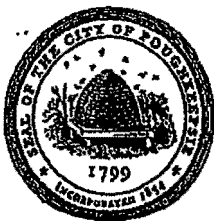
Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

☐	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
☐	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
Name of Lead Agency	Date
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT







**THE CITY OF POUGHKEEPSIE
NEW YORK**

**PLANNING & ZONING
62 CIVIC CENTER PLAZA, 2ND FLOOR
POUGHKEEPSIE, NY 12601**

Phone: (845) 451-4055 Fax: (845) 451-4006

FEE: \$350.00
CODE: A2112
ID# _____
IPS# _____

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION

PROPERTY ADDRESS: 100 CANNON STREET

ZONING DISTRICT: C2

OWNER INFORMATION:

Name: REDEEMED CHRISTIAN FELLOWSHIP
Address: 100 CANNON STREET
POUGHKEEPSIE, NEW YORK 12601
Phone: 845-452-1512
Email: KJMCBEAN@GMAIL.COM / RCFCOGOP@GMAIL.COM

APPLICANT INFORMATION:

Name: BISHOP DR. KENDRICK McBEAN, PASTOR
Address: 100 CANNON STREET
POUGHKEEPSIE, NEW YORK 12601
Phone: 845-591-8787 CELL
Email: KJMCBEAN@GMAIL.COM

CONSULTANT INFORMATION:

Name: CIRO INTERRANTE
Address: 25 MARKET STREET
POUGHKEEPSIE, N.Y. 12601
Phone: 845-473-7572
Email: CIROINT@GMAIL.COM

SUBJECT OF APPEAL

This application relative to the above referenced property constitutes an appeal from the decision, determination or violation of an official of the City of Poughkeepsie.

Name and title of agent: JOSEPH O'BRIEN

Date of decision/determination/violation: AUGUST 18, 2023

Please note that a copy of the communication must be attached with this application.

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION
PROPERTY ADDRESS: 100 CANNON STREET

AREA VARIANCE REQUESTS

All sections under this heading must be answered completely. Bear in mind that a variance is actually relief from the strict application of the requirements of the law (the Zoning Ordinance), and the Zoning Board of Appeals is required to give sound reasons, based on the criteria set forth in this application, for granting any such relief.

SECTION	REQUIRING/PROHIBITING	REQUESTED VARIANCE
<u>19-4.14(3)(2)</u>	<u>10'</u>	<u>5.5'</u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>

VARIANCE REQUEST JUSTIFICATION

Pursuant to Section 19-8.4 (2) (d) of the Zoning Ordinance, the Zoning Board of Appeals, in making its determination, shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such granting.

Bear in mind that a variance is actually relief from the strict application of the requirements of the law (the Zoning Ordinance), and the Zoning Board of Appeals is required by law to give sound reasons, based on the criteria set forth in this application, for granting any such relief. Please note that it is therefore incumbent upon the applicant to demonstrate to the Board that the criteria for the granting of the variance(s) are satisfied.

Responses to the following questions shall be attached to and submitted with the application.

- 1) Will the granting of the variance produce an undesirable change in the character of the neighborhood or be a detriment to nearby properties? If not, please explain why.
- 2) Can the benefit sought be achieved by some other method feasibly for the applicant to pursue, other than an area variance? Identify what alternatives to the variance, if any, have been explored (for example, alternative designs, purchasing of contiguous properties, etc.). Why is the variance necessary?
- 3) Is/are the requested area variance(s) substantial? Explain why they are not substantial.
- 4) Will the variance(s) have an adverse affect or impact on the physical or environmental conditions in the neighborhood or district? Why not?
- 5) Is the need for the area variance(s) the result of self-created difficulties on your part, or unique to the property? Explain.

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION
PROPERTY ADDRESS: 100 CANNON STREET

LIST OF REQUIRED ATTACHMENTS

- ✓1. Letter or communication which resulted in application to the ZBA.
- ✓2. Site or Plot Plan: Nine (9) copies.
- 3. Color photos of site conditions: Nine (9) copies
- ✓4. Complete Short EAF
- 5. Electronic file submission of the plot plan and color photos
- 6. Other attachments deemed pertinent by the applicant (please list):

SEE EXHIBIT "A"

SIGNATURE AND VERIFICATION

Please be advised that no application can be deemed complete unless signed below.

THE APPLICANT HEREBY STATES THAT ALL INFORMATION GIVEN IS ACCURATE AS OF THE DATE OF APPLICATION. THE APPLICANT, IF NOT THE OWNER OF THE PROPERTY, HEREBY SWEARS THAT THIS APPLICATION IS MADE WITH THE INFORMED KNOWLEDGE AND CONSENT OF THE OWNER.

Kenrick McBean
SIGNATURE OF APPLICANT

8-27-2023
DATE

KENRICK McBean
Print Name

EXHIBIT "A" - 100 Cannon Street

- 1. The granting of the variance will not produce an undesirable change. The fence along the south property line will be partially hidden by existing ornamental vegetation. The fence along the front property line will be a decorative fence.**
- 2. The variance request is for the side property line. There are no alternative methods to achieve the desired outcome.**
- 3. The variance is not substantial. The distance from the adjacent house to the proposed fence varies. The variance requested is for 5'-6" or less.**
- 4. The requested variance will not have an inverse impact in the neighborhood. As stated previously, the fence will be partially hidden by existing ornamental vegetation.**
- 5. The hardship is not self-created. The zoning regulations create a hardship by imposing setback regulations on the side property line, where a previous fence exists (before zoning) and is proposed to be replaced with a new fence.**

CIA

**Ciro Interrante Architect, P.C.
25 Market Street, 3rd Floor
Poughkeepsie, New York 12601**

(845) 473-7572

August 17, 2023

**Joseph O'Brien Deputy Zoning Administrator
City of Poughkeepsie
PO Box 300
Poughkeepsie, NY 12602**

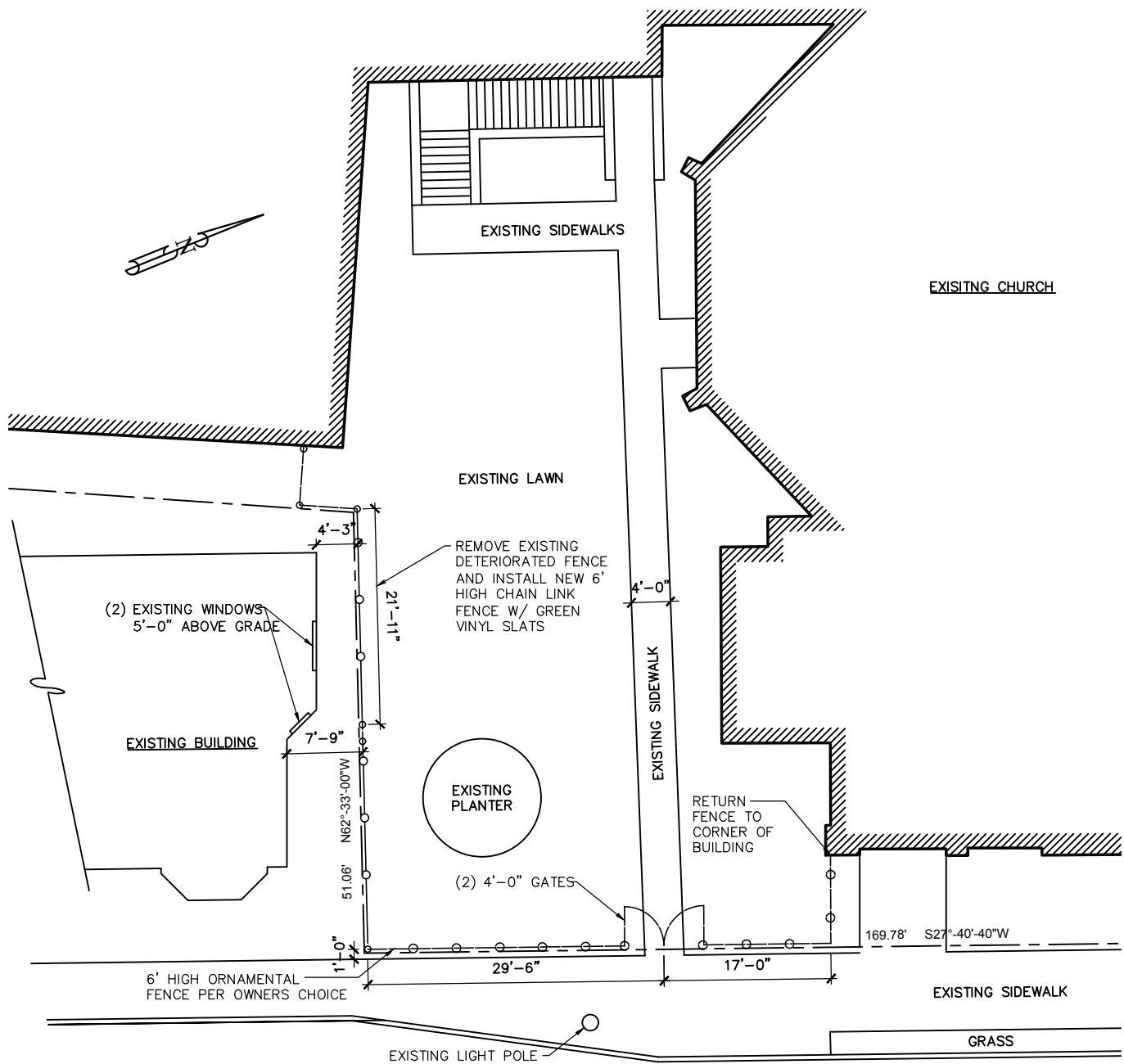
**RE: Proposed Fence for
Redeemed Christian Fellowship Church
100 Cannon Street
Poughkeepsie, New York 12601**

Dear Mr. O'Brien:

This correspondence is in response to your letter dated 8/2/23 regarding the Redeemed Christian Fellowship Church located at 100 Cannon St. in Poughkeepsie, New York. In addition to your letter, you also provided information regarding fence permit requirements. Please see the attached site plan that I prepared at the request of Bishop Dr. Kendrick McBean (Pastor). The site plan shows the location of the buildings on the property and adjacent to the property in question. The new fence proposed along the front of the lawn area to the left side of the church will be an ornamental iron fence as selected by the parish. An additional fence running in a westerly direction on the left side of the property will be a 6-foot-high chain-link fence with green vinyl slats to provide security and privacy from the adjacent property. I hope this site plan meets with your approval and you will issue building permit number BP – 23–1267. Please contact me if you have any questions regarding this letter and site plan.

Very truly yours,

Ciro Interrante, Architect



S. HAMILTON

STREET

1 PARTIAL SITE PLAN
SP1 SCALE: 1" = 16'

TAX MAP#: 131300-6161-22-152994-0000

SITE PLAN SP1 SHEET NO.	rev. 8/19/23 DATE: 8/17/23 Job No.: 23-33	CIRO INTERRANTE ARCHITECT, P.C. 25 MARKET STREET, 3RD FLOOR POUGHKEEPSIE, NEW YORK 12601 (845) 473-7572 Office (845) 473-7525 Fax	SITE PLAN FENCE FOR: REDEEMED CHRISTIAN FELLOWSHIP 100 CANNON STREET, POUGHKEEPSIE, NY 12601
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**THE CITY OF POUGHKEEPSIE
NEW YORK**

DEVELOPMENT DEPARTMENT

62 CIVIC CENTER PLAZA, 2ND FLOOR

POUGHKEEPSIE, NY 12601

Phone: (845) 451-4263 Fax: (845) 451-4006

MEMORANDUM

To: Bishop Dr. Kendrick McBean

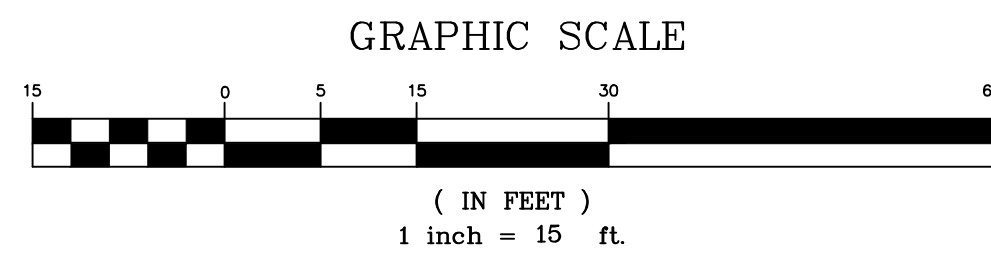
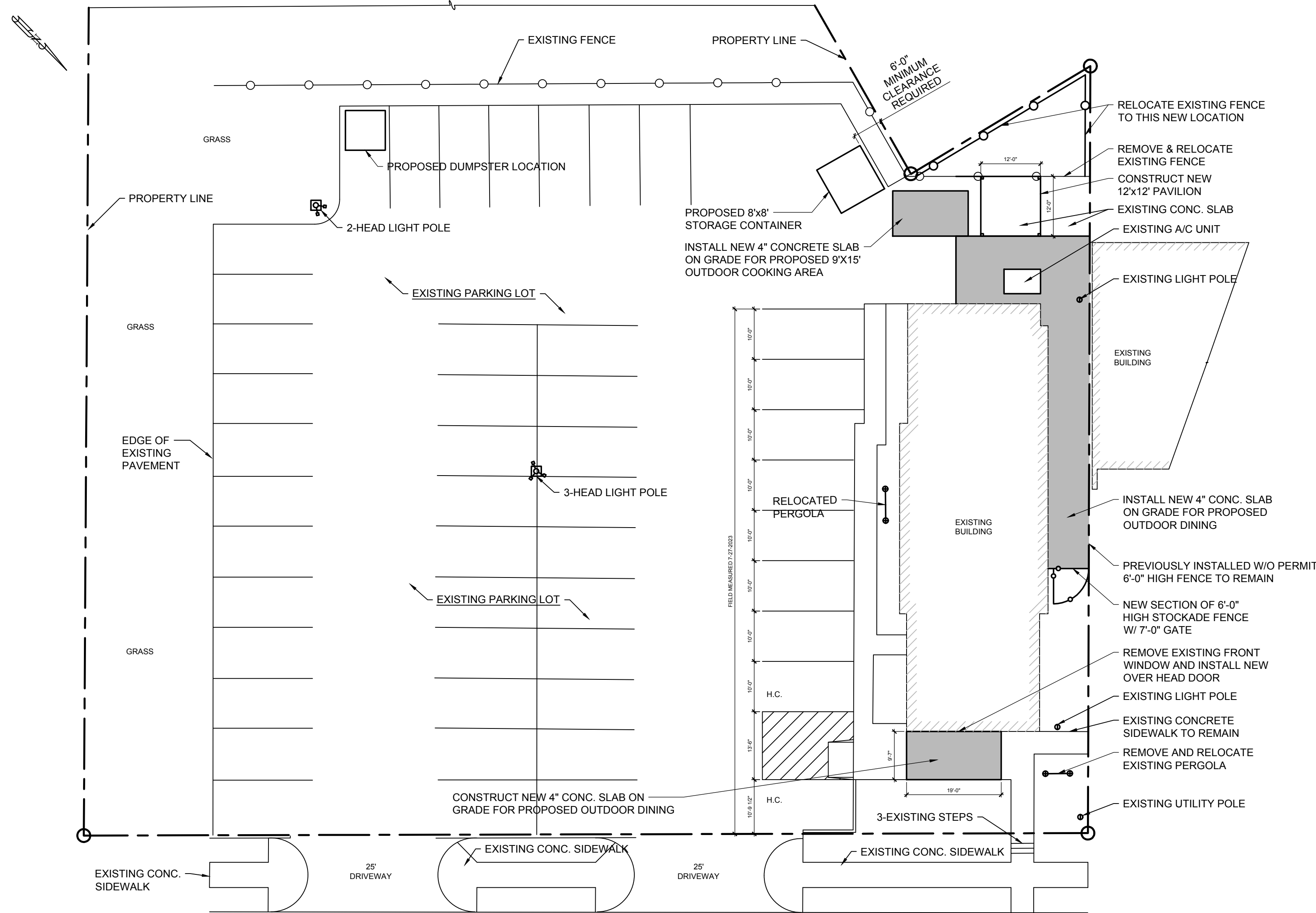
From: Tyler Maegerle, Junior Planner

Date: 9/12/23

Re: 100 Cannon Street

Upon review of project materials provided by the applicant, including Short EAF Part 1 and site plan application, it is my understanding that the proposed action to be undertaken includes replacement and legalization of a fence.

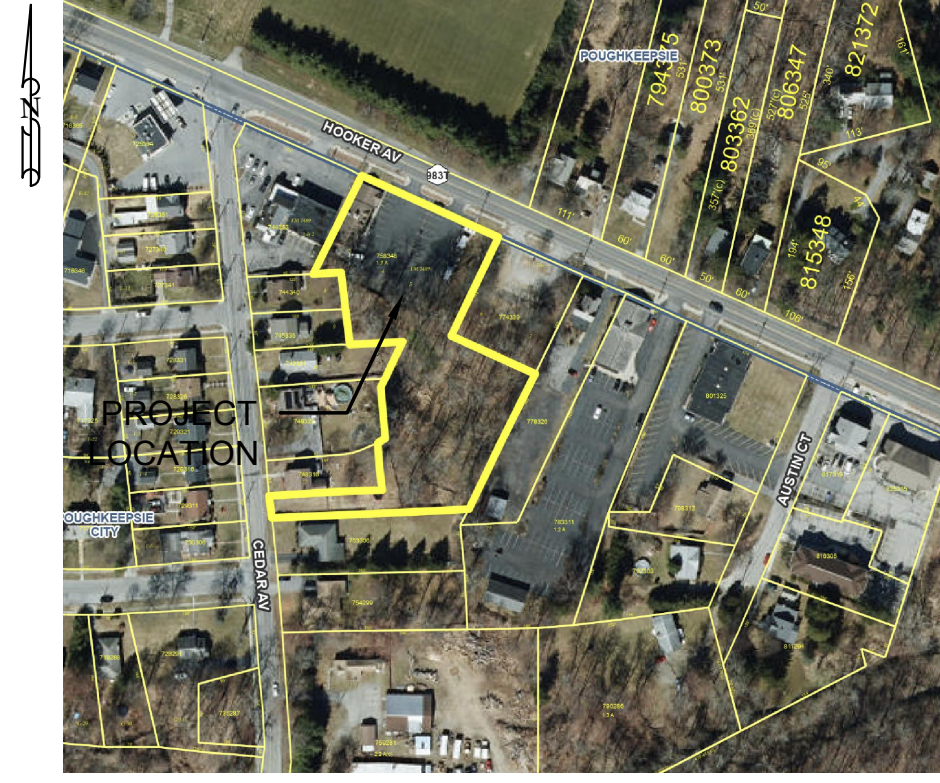
Based on the above description it is the determination of the planning division that the proposed action is classified as Type II Action with regards to SEQRA pursuant to 6 NYCRR Section 617.5 (c)(2) "replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building, energy, or fire codes unless such action meets or exceeds any of the thresholds in section 617.4 of this Part;." The action is therefore not subject to further environmental review.



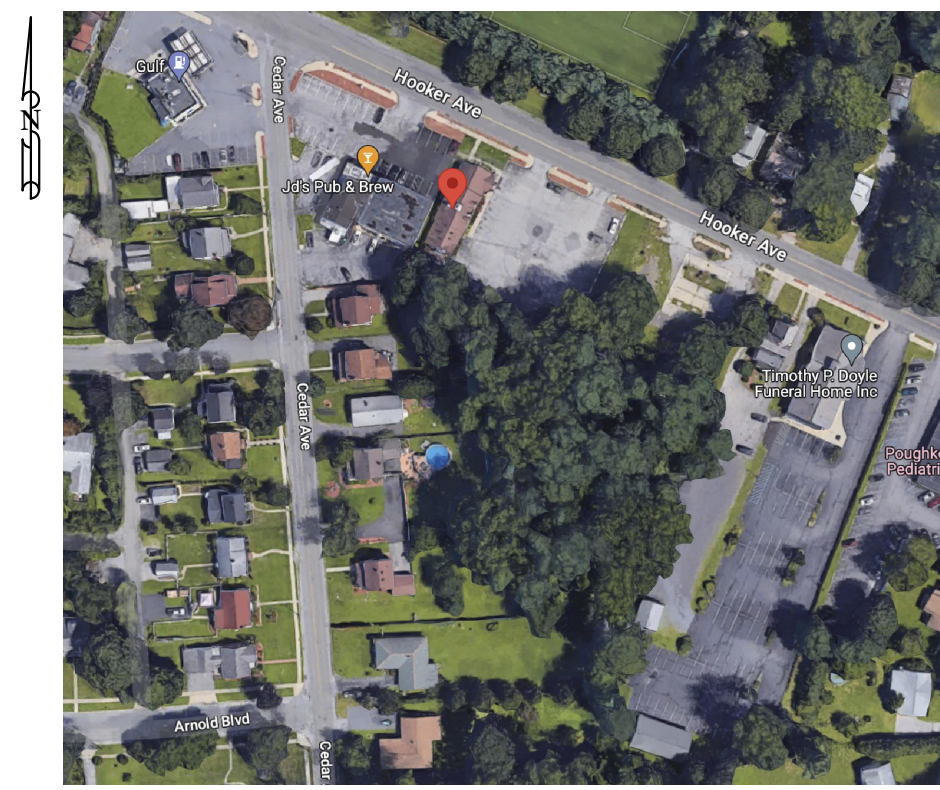
1 SITE PLAN
SCALE: 1" = 16'-0"



2 EXISTING FRONT ELEVATION
SCALE: 1/4"=1'-0"



3 PARCEL MAP
SCALE: N.T.S.



4 GOOGLE MAP
SCALE: N.T.S.



5 GOOGLE STREET VIEW
SCALE: N.T.S.

Revisions	No.	Date	Description
NO. 1	08/01/23		ZONING REPLY



CIRO INTERRANTE ARCHITECT P.C.			
25 MARKET STREET POUGHKEEPSIE, NEW YORK 12601 (845) 473-7572 Office			
DRAWN BY:	S.T.T.	CHECKED BY:	C.I.
ISSUED DATE:		06-09-2023	

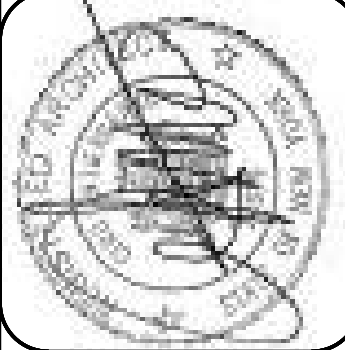


IMAGE OF SITE PLAN	
PROPOSED SITE PLAN FOR: GENEVA'S BLUES HOUSE SOUTHERN BARBEQUE 357 HOOKER AVENUE POUGHKEEPSIE, NY 12601	

Project Number. **23-16**





**THE CITY OF POUGHKEEPSIE
NEW YORK**

DEVELOPMENT DEPARTMENT

62 CIVIC CENTER PLAZA, 2ND FLOOR

POUGHKEEPSIE, NY 12601

Phone: (845) 451-4263 Fax: (845) 451-4006

MEMORANDUM

To: Terricena A. Brown

From: Tyler Maegerle, Junior Planner

Date: 9/11/2023

Re: 357 Hooker Avenue

Upon review of project materials provided by the applicant, including Short EAF Part 1 and site plan application, it is my understanding that the proposed action to be undertaken includes the operation of a restaurant.

Based on the above description it is the determination of the planning division that the proposed action is classified as Type II Action with regards to SEQRA pursuant to 6 NYCRR Section 617.5 (c)(18) "reuse of a residential or commercial structure, or of a structure containing mixed residential and commercial uses, where the residential or commercial use is a permitted use under the applicable zoning law or ordinance, including permitted by special use permit, and the action does not meet or exceeds any of the thresholds in section 617.4 of this Part." The action is therefore not subject to further environmental review.



**THE CITY OF POUGHKEEPSIE
NEW YORK**

DEVELOPMENT DEPARTMENT

62 CIVIC CENTER PLAZA, 2ND FLOOR

POUGHKEEPSIE, NY 12601

Phone: (845) 451-4263 Fax: (845) 451-4006

MEMORANDUM

To: Terricena A. Brown

From: Tyler Maegerle, Junior Planner

Date: 9/11/2023

Re: 357 Hooker Avenue

Upon review of project materials provided by the applicant, including Short EAF Part 1 and site plan application, it is my understanding that the proposed action to be undertaken includes the operation of a restaurant.

Based on the above description it is the determination of the planning division that the proposed action is classified as Type II Action with regards to SEQRA pursuant to 6 NYCRR Section 617.5 (c)(18) "reuse of a residential or commercial structure, or of a structure containing mixed residential and commercial uses, where the residential or commercial use is a permitted use under the applicable zoning law or ordinance, including permitted by special use permit, and the action does not meet or exceeds any of the thresholds in section 617.4 of this Part." The action is therefore not subject to further environmental review.

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Name of Action or Project: 357 HOOKER AVENUE			
Project Location (describe, and attach a location map): 2/10 MILE WEST OF RAYMOND AVE. ON SOUTH SIDE OF HOOKER AVE.			
Brief Description of Proposed Action: OPERATE AN EXISTING RESTAURANT AND MAKE MINOR IMPROVEMENTS AND ALTERATIONS TO IMPROVE SERVICE AND VARIETY OF FOOD PRODUCT.			
Name of Applicant or Sponsor: TERRICIENA A. BROWN		Telephone: 845-416-3921 E-Mail: TERRICIENA146@YAHOO.COM	
Address: 4 BALDING AVENUE			
City/PO: POUGHKEEPSIE		State: NY	Zip Code: 12601
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO ☒ YES ☐
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: PLANNING BOARD - SITE PLAN APPROVAL			NO ☐ YES ☒
3.a. Total acreage of the site of the proposed action?		0.6 acres	
b. Total acreage to be physically disturbed?		0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.6 acres	
4. Check all land uses that occur on, adjoining and near the proposed action. ☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☒ Commercial ☐ Residential (suburban) ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____ ☐ Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO ☐	YES ☒	N/A ☐
b. Consistent with the adopted comprehensive plan?	☐	☐	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		NO ☐	YES ☒
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____		NO ☒	YES ☐
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		NO ☒	YES ☐
b. Are public transportation service(s) available at or near the site of the proposed action?		☐	☒
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?		☐	☒
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____		NO ☐	YES ☒
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____		NO ☐	YES ☒
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____		NO ☐	YES ☒
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?		NO ☒	YES ☐
b. Is the proposed action located in an archeological sensitive area?		☒	☐
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?		NO ☒	YES ☐
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____		☒	☐
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☒ Urban ☐ Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?		NO ☒	YES ☐
16. Is the project site located in the 100 year flood plain?		NO ☒	YES ☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? ☒ NO ☐ YES		NO ☐	YES ☒
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ _____		☐ NO ☒ YES	

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
_____	☒	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
_____	☒	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
_____	☒	☐
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>CIRIO INTER RANTE, ARCHITECT</u> Date: <u>6-15-23</u> Signature: <u>[Signature]</u>		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	☐	☐
2. Will the proposed action result in a change in the use or intensity of use of land?	☐	☐
3. Will the proposed action impair the character or quality of the existing community?	☐	☐
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	☐	☐
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	☐	☐
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	☐	☐
7. Will the proposed action impact existing:		
a. public / private water supplies?	☐	☐
b. public / private wastewater treatment utilities?	☐	☐
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	☐	☐
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	☐	☐

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	☐	☐
11. Will the proposed action create a hazard to environmental resources or human health?	☐	☐

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

☐	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
☐	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
Name of Lead Agency Date	
Print or Type Name of Responsible Officer in Lead Agency Title of Responsible Officer	
Signature of Responsible Officer in Lead Agency Signature of Preparer (if different from Responsible Officer)	

PRINT



BUILDING DEPARTMENT

CITY OF POUGHKEEPSIE
62 CIVIC CENTER PLAZA, 2ND FLOOR
POUGHKEEPSIE, NY 12601
Phone: (845) 451-4007 Fax: (845) 451-4006

Eric Philipp
Building Inspector

September 6th, 2023

Terriciena Brown
4 Balding Avenue
Poughkeepsie NY 12601

Re: 357 Hooker Avenue
ID # 235162
Area Variance Application # ZBA-2023-031

To whom it may concern,

The Development Department is in receipt of your updated plans for your Area Variance Application # ZBA-2023-031 relative to the Restaurant located at 357 Hooker Avenue. This property is located within the Neighborhood Commercial District (C-1) which does Restaurants per code Section 19-3.22(2)(a)3 of the Zoning Ordinance. Upon review of the provided updated plans, its possible that no area variances will be required if the following 2 items are approved by the Planning Board and more information is provided for item 3 below;

1. Section 19-4.3(1) requires that whenever a parking area containing three or more spaces faces a street or a property line, a planting area of a minimum width of three feet with plantings at least three feet high planted three feet on center shall be provided between the parking area and the street line or property line. The planting plan for this strip shall be approved by the Planning Board as part of the site plan review; no such proposal was indicated on the provided plans.
2. Section 19-4.11(1)(b) requires landscape strips or opaque screening shall be provided along all property lines as approved by the Planning Board; no such proposal is indicated on the provided plan.
3. Section 19-4.14(3)(a) requires that no such fence, wall or ledge shall be permitted nearer than 10 feet to any wall or an adjoining building that contains legal windows; the provided plan indicates a fence to be installed on the right side of the property but does not indicate the neighboring building. Also please note the plan indicates this is an existing fence but was installed without a building permit. Please provide a full view of the wall located next to the fence for both buildings including the upper levels.

Please submit the requested information for item 3 to determine if a variance will be required. If the Planning Board denies your Site Plan due to the lack of landscaping identified in items 1 and 2, then a variance will be required for those code sections.



BUILDING DEPARTMENT

CITY OF POUGHKEEPSIE
62 CIVIC CENTER PLAZA, 2ND FLOOR
POUGHKEEPSIE, NY 12601
Phone: (845) 451-4007 Fax: (845) 451-4006

Eric Philipp
Building Inspector

If you have any questions or comments, please feel free to contact me, info is listed below, thanks.

Joseph D. O'Brien

Deputy Zoning Administrator

Office - 845-451-4273

jobrien@cityofpoughkeepsie.com



**THE CITY OF POUGHKEEPSIE
NEW YORK**

PLANNING & ZONING
62 CIVIC CENTER PLAZA, 2ND FLOOR
POUGHKEEPSIE, NY 12601

Phone: (845) 451-4055 Fax: (845) 451-4006

FEE: \$350.00
CODE: A2112
ID# _____
IPS# _____

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION

PROPERTY ADDRESS: 357 HOOKER AVENUE

ZONING DISTRICT: C-1

OWNER INFORMATION:

Name: HIGHWAY DISPLAYS INC
Address: 404 MAPLE STREET
POUGHKEEPSIE, N.Y. 12601
Phone: 845-452-2121
Email: MSCHW1020@AOL.COM

APPLICANT INFORMATION:

Name: TERRICIANA A. BROWN
Address: 4 BALDING AVENUE
POUGHKEEPSIE, N.Y. 12601
Phone: 845-416-3921 OR 845-264-8680
Email: TERRICIANA146@YAHOO.COM

CONSULTANT INFORMATION:

Name: CIRO INTERANTE
Address: 25 MARKET STREET
POUGHKEEPSIE, N.Y. 12601
Phone: 845-473-7572
Email: CIROINT@GMAIL.COM

SUBJECT OF APPEAL

This application relative to the above referenced property constitutes an appeal from the decision, determination or violation of an official of the City of Poughkeepsie.

Name and title of agent: JOSEPH O'BRIEN

Date of decision/determination/violation: JULY 6, 2023

Please note that a copy of the communication must be attached with this application.

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION
PROPERTY ADDRESS: 357 HOOKER AVENUE

AREA VARIANCE REQUESTS

All sections under this heading must be answered completely. Bear in mind that a variance is actually relief from the strict application of the requirements of the law (the Zoning Ordinance), and the Zoning Board of Appeals is required to give sound reasons, based on the criteria set forth in this application, for granting any such relief.

SECTION	REQUIRING/PROHIBITING	REQUESTED VARIANCE
<u>19-4.3 (1)</u>	<u>PLANTING</u>	<u>REQUEST 100% VARIANCE</u>
<u>19-4.3 (5)(b)</u>	<u>9' WIDE PARKING</u>	<u>NONE</u>
<u>19-4.11 (1)(b)</u>	<u>LANDSCAPING OR OPAQUE SCREENING</u>	<u>REQUEST 100% VARIANCE</u>
<u>19-4.13 (1)</u>	<u>ACCESSORY USES</u>	<u>NONE</u>
<u>19-4.14 (3)(a)</u>	<u>NO FENCE WITHIN 10' OF ADJACENT BUILDING</u>	<u>NONE - NO WINDOWS IN ADJACENT BUILDING</u>

VARIANCE REQUEST JUSTIFICATION

Pursuant to Section 19-8.4 (2) (d) of the Zoning Ordinance, the Zoning Board of Appeals, in making its determination, shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such granting.

Bear in mind that a variance is actually relief from the strict application of the requirements of the law (the Zoning Ordinance), and the Zoning Board of Appeals is required by law to give sound reasons, based on the criteria set forth in this application, for granting any such relief. **Please note that it is therefore incumbent upon the applicant to demonstrate to the Board that the criteria for the granting of the variance(s) are satisfied.**

Responses to the following questions shall be attached to and submitted with the application.

- 1) Will the granting of the variance produce an undesirable change in the character of the neighborhood or be a detriment to nearby properties? If not, please explain why.
- 2) Can the benefit sought be achieved by some other method feasibly for the applicant to pursue, other than an area variance? Identify what alternatives to the variance, if any, have been explored (for example, alternative designs, purchasing of contiguous properties, etc.). Why is the variance necessary?
- 3) Is/are the requested area variance(s) substantial? Explain why they are not substantial.
- 4) Will the variance(s) have an adverse affect or impact on the physical or environmental conditions in the neighborhood or district? Why not?
- 5) Is the need for the area variance(s) the result of self-created difficulties on your part, or unique to the property? Explain.

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION
PROPERTY ADDRESS: 357 HOOKER AVENUE

LIST OF REQUIRED ATTACHMENTS

- ✓1. Letter or communication which resulted in application to the ZBA.
- ✓2. Site or Plot Plan: Nine (9) copies.
- ✓3. Color photos of site conditions: Nine (9) copies
- ✓4. Complete Short EAF
- ✓5. Electronic file submission of the plot plan and color photos
- ✓6. Other attachments deemed pertinent by the applicant (please list):

AUTHORIZATION EMAIL FROM PROPERTY OWNER
EXHIBIT "A"
PICTURES

SIGNATURE AND VERIFICATION

Please be advised that no application can be deemed complete unless signed below.

THE APPLICANT HEREBY STATES THAT ALL INFORMATION GIVEN IS ACCURATE AS OF THE DATE OF APPLICATION. THE APPLICANT, IF NOT THE OWNER OF THE PROPERTY, HEREBY SWEARS THAT THIS APPLICATION IS MADE WITH THE INFORMED KNOWLEDGE AND CONSENT OF THE OWNER.


SIGNATURE OF APPLICANT

8/3/23
DATE

TERRICIANA A. BROWN
Print Name

Highway Displays

1 message

Marcy Schwartz <mschw1020@aol.com>
To: "cioint@gmail.com" <cioint@gmail.com>

Fri, Jun 16, 2023 at 12:56 PM

Please be advised that **Ciro Interrante** and **Terriciensa Brown** are authorized to represent Highway Displays in the approval process.

-**Marcy K. Schwartz, Esq.**
President
Highway Displays, Inc.

APPLICATION TO THE PLANNING BOARD
CITY OF POUGHKEEPSIE, NEW YORK

Application for Site Plan, Special Permit & Facade Approval

I. PROPERTY ADDRESS: <u>357 HOOKER AVENUE</u> II. PROPERTY OWNER: <u>HIGHWAY DISPLAYS, INC.</u> ADDRESS: <u>404 MAPLE ST.</u> <u>POUGHKEEPSIE</u> <u>N.Y. 12601</u> (state and zip code) PHONE NUMBER: <u>845-452-2121</u> (include area code) III. NAME OF APPLICANT: <u>TERRICIENA A. BROWN</u> ADDRESS: <u>4 BALDING AVENUE</u> <u>POUGHKEEPSIE</u> <u>N.Y. 12601</u> (state and zip code) PHONE NUMBER: <u>845-416-3921</u> (include area code) EMAIL ADDRESS: <u>TERRICIENA 146 @ YAHOO.COM</u> (If applicant is NOT the owner, proof of owner's consent to the application MUST be provided.) IV. CONSULTANT: <u>CIRO INTERRANTE ARCHITECT, P.C.</u> ADDRESS: <u>25 MARKET STREET, SUITE 3</u> <u>POUGHKEEPSIE</u> <u>N.Y. 12601</u> (state and zip code) PHONE NUMBER: <u>845-473-7572</u> (include area code) V. PROPOSED USE or FAÇADE CHANGE (Summarize proposed use or uses): <u>EXISTING RESTAURANT</u> <u>USE TO REMAIN UNCHANGED. REPLACE FRONT WINDOW WITH OVERHEAD DOOR.</u> VI. ZONING DISTRICT: <u>C-1 NEIGHBORHOOD COMMERCIAL</u>	OFFICE USE ONLY CODE: PLSF ID # _____ FEE: _____ Total, from: \$500, plus \$ _____ (\$150 per 1000 square feet of floor area), plus \$ _____ (\$35 per number of required parking spaces), plus \$ _____ (\$500 for special permit, if applicable)
---	---

(Proceed to XVII for special permit & façade approval only)

PROJECT INFORMATION

New construction: _____ (yes) X (no)
Change of use: _____ (yes) X (no)
Expansion/addition: _____ (yes) X (no)
Alteration: X (yes) _____ (no)
Cost of Construction: \$ 25,000 ±

LOT AND BULK INFORMATION:

Lot area: 0.60 (acres) 26,136 (square feet)
Building Footprint: 0 (proposed square feet for new construction)
0 (existing square feet for change of use/expansion)
0 (additional proposed square feet for expansion)
2,580 (total building footprint, square feet)
Lot Coverage: 9.8% (percentage, building coverage only)
Gross Floor Area: 0 (proposed square feet for new construction)
0 (existing square feet for change of use/expansion)
0 (additional proposed square feet for expansion)
2,580 (total gross floor area, square feet)
Building Height: 1 (stories) 22' (feet)
Floor Area Ratio: 9.8% (ratio of gross floor area divided by lot area)

VIII. PROJECT PARKING INFORMATION

A) Number of Off-Street Parking Spaces required: 25
B) Number of Off-Street Parking Spaces provided: 48
C) Waiver Requested: _____ (Yes) X (No)
Is municipal parking available within 600 feet? _____ (Yes) X (No)

If yes, name all such municipal facilities: N/A

(If a waiver is requested based on proximity to municipal facilities, a written request for such waiver, addressed to the City Planning Staff and the Chairman of the Planning Board, must be submitted with the application.)

If a private parking facility is to be utilized, is such facility within 600 feet?

N/A _____ (Yes) _____ (No)

If yes, provide the address of the facility, name of the property owner, number of spaces in the lot, number of spaces available for lease, and length of lease. Attach copy of lease. Additional information may be required by the Planning Board):

IX. RESIDENTIAL PROPOSALS N/A

A) Type of Development: _____
(Townhouse, condominium, multiple residence rental, etc.)

B) Unit Breakdown:

Number of efficiency or "studio" units: _____

Number of one (1) bedroom units: _____

Number of two (2) bedroom unit's _____

Number with three or more bedrooms: _____

Total number of units: _____

C) Is funding public? _____ Yes _____ No

If yes, describe funding source: _____

X. OFFICE PROPOSALS (____ Medical/Dental ____ Professional ____ Business)

N/A A) Number of Employees: _____

B) Number of doctors/dentists/medical practitioners: _____

C) Days/Hours of Operation: _____

XI. SERVICE BUSINESS PROPOSALS

N/A

- A) Specify Business: _____
(e.g., laundromat, drycleaner, beauty parlor, travel agency, banks)
- B) Number of Employees: _____
- C) Number of Washing Machines (for laundromat): _____
- D) Days/Hours of Operation: _____

XII. MERCANTILE PROPOSALS (Retail _____ Wholesale _____)

N/A

- A) Type of Mercantile (specify): _____
- B) Number of Employees: _____
- C) Days/Hours of Operation: _____

XIII. STANDARD RESTAURANT/FAST FOOD RESTAURANT/COFFEE SHOP/DONUT SHOP/NIGHTCLUB/DISCOTHEQUE/BAR PROPOSALS

- A) Specify Use: RESTAURANT
- B) Number of seats (excluding bar stools and outdoor seating): 60
- C) Meals served (i.e., breakfast, lunch, dinner): LUNCH & DINNER
- D) Type of Menu: BAR BE QUE
- E) Days/Hours of Operation: M, T, W, T - 11AM - 10PM & F, S, S 11AM - 1AM
- F) Entertainment (live and/or recorded): YES F, S, S 4-8 PM
- G) Will the restaurant contain a bar/lounge?: X Yes _____ No
- H) If yes, how many seats at the bar? 15
- I) Is a drive-through window proposed? NO
- J) Is a walk-up window proposed? NO
- K) Is an outdoor seating area proposed? YES
- L) If yes, how many seats are proposed? 10
- M) If yes, is outdoor cooking proposed? YES

XIV. INDUSTRIAL/COMMERCIAL PROPOSALS (Automobile repair, taxi, motor vehicle sales, warehouse, manufacturing, animal hospital, research facilities, etc.)

N/A

- A) Specify Use: _____
- B) Number of shifts (if any): _____
- C) Number of employees: _____
(If shifts are proposed, list number of employees per shift)
- E) Number of work bays (if automobile repair): _____
- F) Days/Hours of operation: _____

CIA

**Ciro Interrante Architect, P.C.
25 Market Street, 3rd Floor
Poughkeepsie, New York 12601**

(845) 473-7572

July 30, 2023

**Zoning Board
City of Poughkeepsie
PO Box 300
Poughkeepsie, NY 12602**

**RE: 357 Hooker Avenue
Poughkeepsie, New York 12601**

Dear Zoning Board,

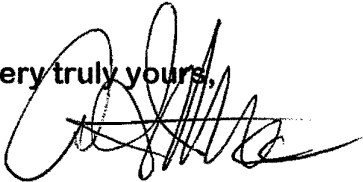
The proposal is to operate a restaurant business as tenant in an existing restaurant building. The existing restaurant and developed site were originally constructed in the 1960s for a new Friendly's ice cream restaurant. The site and building has operated for restaurant use continuously since then. For this current applicant no changes to the existing site plan are proposed with the exceptions of the following site improvements:

- 1. The installation of a concrete slab in the front of the building**
- 2. Replacement of the existing front window with an overhead door to allow for outdoor dining at the front of the restaurant.**
- 3. The installation of a concrete slab at the rear right side of the building also for additional seating for outdoor dining.**
- 4. The installation of a concrete slab at the rear of the building to provide a location for a barbecuing grill.**
- 5. The installation of a small storage unit at the rear of the parking lot.**
- 6. The installation of a 6'-0" high stockade style fence on the right side of the building to provide privacy for dining.**

No other changes to the existing facility are proposed.

Please review the site plan and exterior elevation view of the front of the building for further understanding.

Very truly yours,



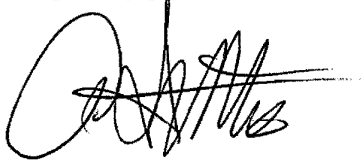
Ciro Interrante, Architect

4. **Section 19-4.13(1)** - The storage container has been moved to provide the 6'-0" minimum clearance required. See revised the site plan was revision date of July 27, 2023.

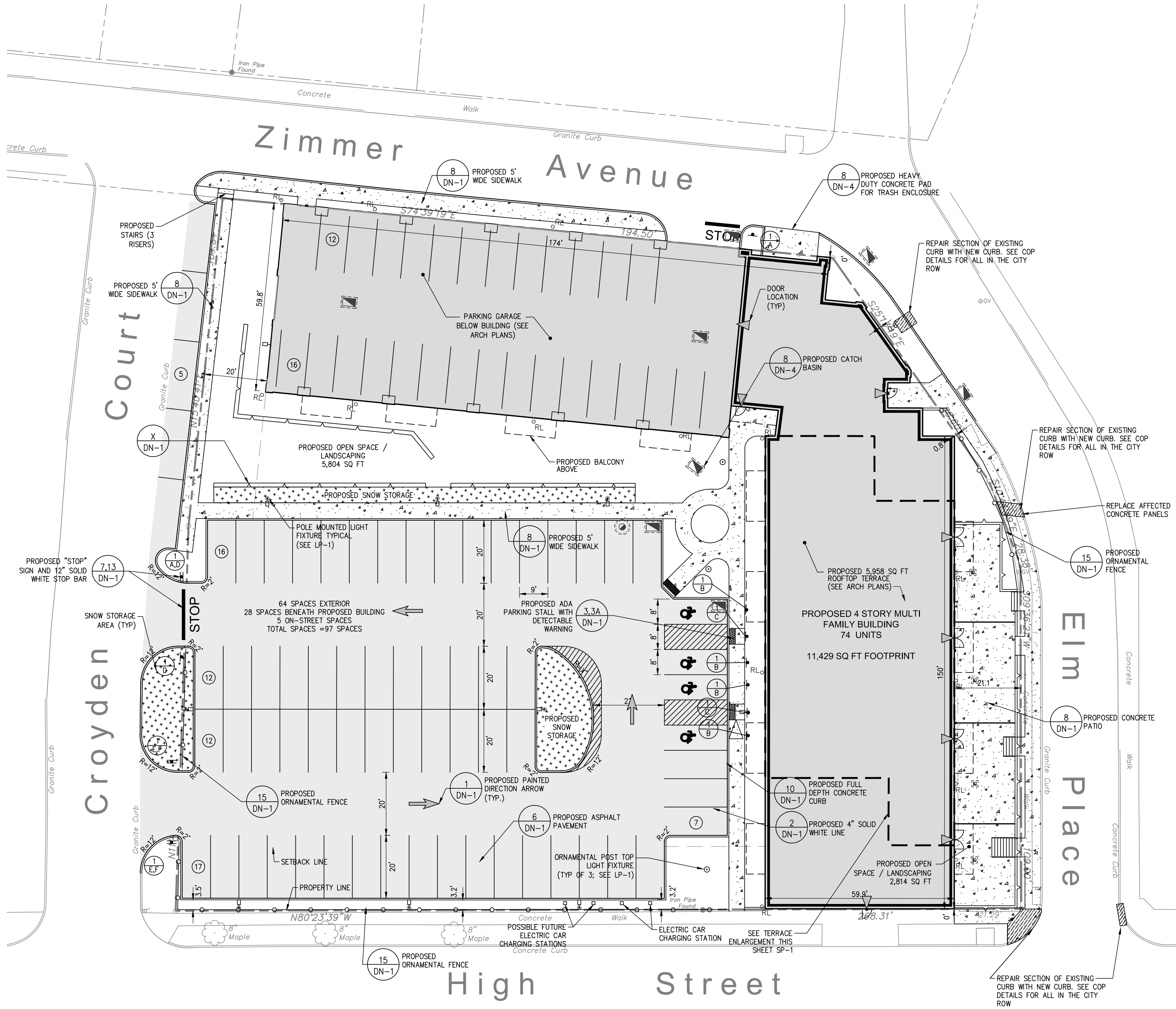
5. **Section 19-4.14(3)(a)** - Please see the attached photographs of the adjacent building. There are no windows of the adjacent building in the wall facing the subject property.

Please review the site plan and exterior elevation view of the front of the building for further understanding.

Very truly yours,

A handwritten signature in black ink, appearing to read 'C. Interrante', with a large, stylized initial 'C' and a horizontal line extending to the right.

Ciro Interrante, Architect



* VARIANCES GRANTED OCTOBER 12, 2021

- (1) **OPEN SPACE** PREVIOUSLY REQUIRED=20,100 SF
PREVIOUSLY PROPOSED=19,003 SF
VARIANCE GRANTED=1,097 SF

CURRENT PROPOSED=21,548 SF
CURRENT REQUIRED=22,900 SF

DEVIATION=1,352 SF
VARIANCE ISSUED=1,097
CURRENT DEVIATION=255 SF
- (2) **FRONT YARD** REQUIRED 20 FEET
VARIANCE GRANTED TO PERMIT 0 FT ZIMMER, ELM STREETS
- (3) **LOT AREA** PREVIOUSLY REQUIRED=147,400 SF
PREVIOUSLY PROPOSED=53,579 SF
VARIANCE GRANTED=93,821 SF

CURRENT PROPOSED=53,579 SF
CURRENT REQUIRED=159,000 SF

DEVIATION=105,421 SF
VARIANCE ISSUED=93,821 SF
CURRENT DEVIATION=11,600 SF
- (4) **PARKING** PREVIOUSLY REQUIRED=108 SPACES
PREVIOUSLY PROPOSED=97 SPACES
WAIVER GRANTED=12 SPACES

CURRENT PROPOSED=97 SPACES
CURRENT REQUIRED=131 SPACES
DEVIATION=34 SPACES

WAIVER GRANTED=12 SPACES
CURRENT DEVIATION=22 SPACES
- (5) **BLDG HEIGHT** PREVIOUSLY REQUIRED=3 STORIES
PREVIOUSLY PROPOSED=4 STORIES
VARIANCE GRANTED=1 STORIES
CURRENT PROPOSED=4 STORIES
- (6) **PARKING ROWS** PREVIOUSLY REQUIRED=NO MORE THAN 12 SPACES IN A ROW
PREVIOUSLY PROPOSED=2 ROWS CONTAINING CONTINUOUS 16 AND 17 SPACES
VARIANCE GRANTED=2 ROWS NON-COMPLIANT
- (7) **PARKING AISLE** PREVIOUSLY REQUIRED=22 FEET
PREVIOUSLY PROPOSED=20 FEET
VARIANCE GRANTED=2 FEET
- (8) **LANDSCAPING** PREVIOUSLY REQUIRED=3 FEET
PREVIOUSLY PROPOSED=0 FEET ZIMMER
VARIANCE GRANTED=3 FEET
- (9) **LANDSCAPE STRIPS** PREVIOUSLY REQUIRED=3 FEET
PREVIOUSLY PROPOSED=0 FEET ELM, 0 FEET ZIMMER
VARIANCE GRANTED=3 FEET ZIMMER, 3 FEET ELM

SUMMARY CHART

ZONING INFORMATION		
PARCEL SIZE	1.234 ACRES	
TAX MAP IDENTIFICATION	6162-62-192294 & 6162-62-180291	
PROPOSED ZONING DISTRICT	R-4 (MEDIUM HIGH DENSITY RESIDENCE)	
PROPOSED USE	RESIDENTIAL USE	
ZONING SUMMARY		
ITEM	REQUIRED R-4	PROPOSED
MINIMUM LOT AREA	3.65 ACRES (1)	1.234 ACRES *
MINIMUM LOT WIDTH	30 FEET	194.50 FEET
MINIMUM FRONT YARD	20 FEET	0 FT *
MINIMUM SIDE YARD	35.2 (2)	0.6 FT *
SIDE YARD (OTHER SIDE)	NONE REQUIRED	20'
MINIMUM REAR YARD	32.5 (2)	0 FT *
MAXIMUM BUILDING HEIGHT	3 STORIES OR 40 FEET	4 STORIES, 65.5 FT *
MAXIMUM LOT COVERAGE	40%	37.6% *
USABLE OPEN SPACE	22,900 SF 0.52 ACRES (3)	21,548 SF 0.49 ACRES (TOTAL) *
FLOOR AREA RATIO (FAR)	NONE REQUIRED	1.48

* VARIANCES GRANTED OCTOBER 12, 2021

(1) MINIMUM LOT AREA

EFFICIENCY UNIT/
4-LIVE WORK=2,200 SF EACH (4X2,200=8,800 SF)
51 ONE BEDROOM UNIT=2,200 SF EACH (51X 2,200=112,200 SF)
19 TWO BEDROOM=2,000 SF EACH (19X 2,000=38,000 SF)
TOTAL LOT AREA REQUIRED 159,000 SF OR 3.65 ACRES

(2) SIDE / REAR YARDS

DISTANCE FROM STRUCTURE TO THE PROPERTY LINE=1/2 THE HEIGHT OF THE STRUCTURE CLOSEST TO THE PROPERTY LINE OR 15', WHICHEVER IS GREATER
1/2 OF 65.5=32.5 FT

(3) REQUIRED OPEN SPACE

ONE BEDROOM UNIT=300 SF EACH (51X300=15,300 SF)
TWO BEDROOM UNIT=300 SF EACH (19X300=5,700 SF)
TOTAL OPENS SPACE REQUIRED 22,900 SF OR 0.52 ACRES

PARKING SUMMARY CHART

PARCEL SIZE	1.234 ACRES	
TAX MAP IDENTIFICATION	6162-62-192294 & 6162-62-180291	
PARKING SUMMARY		
ITEM	REQUIRED	PROVIDED
PARKING REQUIREMENTS: 1 PER LIVE / WORK 1.5 PER ONE BEDROOM 2.0 PER TWO BEDROOM VISITOR PARKING LIVE WORK UNITS=(4) (2 x 51 TWO BEDROOM UNITS)=(4)+(102)=106 SPACES)	106 REQUIRED	28 SPACES UNDER BLDG 64 EXTERIOR SPACES 5 ON-STREET SPACES 97 TOTAL SPACES
HANDICAP SPACES	4 REQUIRED *	4
MIN. PARKING DIMENSIONS	9'x20'	9'x20'
MIN. AISLE WIDTH (ONE WAY TRAFFIC)	20'	20' (ONE WAY)

* PER ADA TABLE 208.2

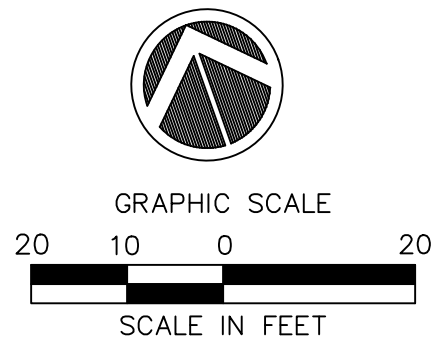
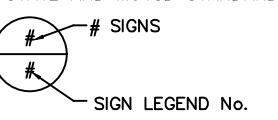
LEGEND

- PROPOSED ASPHALT
- PROPOSED CONCRETE SIDEWALK
- PROPOSED SNOW STORAGE AREA
- PROPOSED CONCRETE CURB
- PROPOSED SIGN

SIGN LEGEND

NO.	LEGEND	QTY.
A	STOP	2
B	RESERVED PARKING	4
C	NO PARKING ANYTIME	2
D	DO NOT ENTER	2
E	ONE WAY	2
F	ONE WAY	2

NOTE: SIGNAGE TO BE CONSISTENT WITH TOWN/STATE AND MUTCD STANDARDS



Date	Revisions
2021-09-10	REVISED PER COMMENTS
2021-09-28	REVISED PER COMMENTS
2021-12-08	SUBMITTED FOR SIGNATURES
2021-04-29	SUBMITTED FOR SIGNATURES
2021-06-27	REVISED PER UNIT COUNTS



• Land Planning
• Civil Engineering
• Environmental Services
• Land Surveying
• Landscape Architecture

85 Civic Center Plaza, Suite 103
Poughkeepsie NY 12601
Tel:845.243.2880

160 West Street, Suite E
Cromwell, CT 06416
Tel:860.635.3977

1 International Blvd, Suite 400
Mahwah, NJ 07495
Tel:908.403.5750

www.lrcconsult.com
LRC Engineering and Surveying, DPC
LRC Engineering and Surveying, LLC
LRC Environmental Services, Inc.
Land Resource Consultants, Inc.

SITE PLAN

RESIDENTIAL DEVELOPMENT

27 HIGH STREET
CITY OF POUGHKEEPSIE,
DUTCHESS COUNTY, NEW YORK

Design/Calcs	BS	CAD File	SP18227701.dwg	Sheet No.
Drawn	SMC	Project No.	18-2277	SP-1
Checked	KFC	Date	2021-04-02	
Approved	REM	Scale	1"=20'	

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project: 27 High Street Lofts			
Project Location (describe, and attach a location map): 27 High Street			
Brief Description of Proposed Action: Renovation of existing building for multi family units and construction of new (nearly identical) building for multi family residential.			
Name of Applicant or Sponsor: 27 High Street Lofts, LLC		Telephone: 845-471-0191 E-Mail: kelly@pageparkassociates.com	
Address: PO Box 792			
City/PO: Poughkeepsie		State: NY	Zip Code: 12602
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO ☒	YES ☐
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Site Plan, Area Variances, DC239M, DCDOH, DEC, SWPPP		NO ☐	YES ☒
3. a. Total acreage of the site of the proposed action?		1.23 acres	
b. Total acreage to be physically disturbed?		.97 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		1.23 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action: ☒ Urban ☐ Rural (non-agriculture) ☐ Industrial ☒ Commercial ☒ Residential (suburban) ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify): ☐ Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	☐	☒	☐
b. Consistent with the adopted comprehensive plan?	☐	☒	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	☐	☒	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	☒	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	☒	☐	
b. Are public transportation services available at or near the site of the proposed action?	☐	☒	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☒	☐	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	☐	☒	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	☐	☒	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	☐	☒	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	☒	☐	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	☒	☐	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	☒	☐	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	☒	☐	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☒ Urban ☒ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	☒	☐
16. Is the project site located in the 100-year flood plan?	NO	YES
	☐	☒
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	☐	☒
a. Will storm water discharges flow to adjacent properties?	☒	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	☐	☒
_____ _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
_____ _____	☒	☐
49. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
_____ _____	☒	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
_____ 314074, B00036, B00020, 314122 - see attached reports	☐	☒
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Kelly Libolt</u> Date: <u>July 20, 2021</u> Signature: <u></u> Title: <u>Project Manager</u>		



Department of
Environmental
Conservation

Environmental Site Remediation Database Search Details

Site Record

Administrative Information

Site Name: Schatz Plant

Site Code: 314074

Program: State Superfund Program

Classification: 02

EPA ID Number:

Location

DEC Region: 3

Address: 70 FAIRVIEW AVENUE

City:POUGHKEEPSIE Zip: 12601

County:Dutchess

Latitude: 41.71668964

Longitude: -73.92178268

Site Type: STRUCTURE

Estimated Size: 30 Acres

Site Owner(s) and Operator(s)

Current Owner Name: Lot Six Realty Corporation

Current Owner(s) Address: 70 Fairview Avenue
Poughkeepsie, NY, 12601

Current Owner Name: SCHATZ FEDERAL BEARING COMPANY

Current Owner(s) Address: 70 FAIRVIEW AVE.
POUGHKEEPSIE, NY, 12601

Owner(s) during disposal: SCHATZ FEDERAL BEARING COMPANY

Current On-Site Operator: Schatz Federal Bearings Company

Stated Operator(s) Address: 70 Fairview Avenue
Poughkeepsie, NY 12601

Hazardous Waste Disposal Period

From: 1910 **To:** 1981

Site Description

Location: The Schatz Plant Site (Site) is located at 10-70 Fairview Avenue in the City and Town of Poughkeepsie, Dutchess County, New York. The Site consists of four tax parcels and occupies an area of approximately 30 acres. **Site Features:** The original Schatz Plant Facility, two stand-alone buildings, and miscellaneous debris and storage boxes occupy the three northernmost parcels of the Site (~22 acres). A bearing manufacturing plant currently operates on the southernmost parcel of the Site (approx. 8 acres). **Current Zoning and Land Use:** The area south of the Site is primarily industrial, with residential areas located to the north and east. A formerly utilized railroad bed abuts the west side of the Site, and immediately beyond the western boundary is a residential area and medical facilities. **Past Use of the Site:** The Schatz Company began operations at the Site in 1910, started manufacturing ball bearings in 1915, and increased the plant size in 1920 and 1926. The company filed for bankruptcy in 1980 was closed in 1981. The Schatz Company name was purchased in 1983 and Schatz Manufacturing currently produces bearings at a plant located on the southernmost

parcel of the Site at 10 Fairview Avenue, owned by the Schatz Land Company. The remaining three tax parcels making up the Site were purchased in 1988 and are presently owned by Lot Six Realty Corporation and Hudson Valley Management Associates. Currently, the property owner leases space in the former manufacturing facility to various small commercial/industrial entities. Site Geology and Hydrogeology: The site geology at the Schatz Plant Site consists of lacustrine silts and fine sands overlying weathered Austin Glen Formation phyllites. The fill and lacustrine sediments (overburden) range in thickness from 0.5 feet to 27 feet. Weathered bedrock ranges in thickness from less than 2 feet to 7 feet on-site. Competent bedrock was found at depths across the site ranging from 7.5 feet to 30 feet below grade. Groundwater flow direction across the site is generally west-northwesterly from Fairview Avenue towards the Hudson River. Groundwater movement in the bedrock is limited primarily to fractures, joints and bedding planes.

Contaminants of Concern (Including Materials Disposed)

Contaminant Name/Type

PCBS (1.7 PPM- 330 PPM) (B007)

TOLUENE, ETHYLBENZENE & XYLENES

polychlorinated biphenyls (PCB)

DRUMS OF WASTE CONTAINING:

Site Environmental Assessment

Nature and Extent of Contamination: Contaminants of concern at the site include PCBs, SVOCs (PAHs), and metals (lead, chromium, arsenic, and antimony). Extensive PCB contamination was found in numerous floor wipe, floor drain, and floor sweeping samples collected within Building #3, the Heat Treatment Building, and the former Rehabilitation Center. In 1996, approximately 1,800 cubic yards of PCB-contaminated soil was removed from the southern edge of the site. In October 2009 USEPA performed an emergency response action to identify, remove and dispose of hazardous materials abandoned in the facility buildings. By March 2011, all of the staged and containerized wastes were shipped off-site for disposal and EPA demobilized from the site. The USEPA evaluated the results of the test pitting and soil sampling performed around the facility in 2010 for possible additional removal action, however, no additional action is planned by the USEPA at this time. The southernmost parcel of the Site has been previously remediated.

Site Health Assessment

Polychlorinated biphenyls (PCBs) were detected in soil at several on-site locations. PCB-contaminated soil was excavated and disposed of at an off-site location in 1996. PCBs have been detected at concentrations above the NYSDOH cleanup guideline on the floors in two on-site buildings and in the soil at several on-site locations. One of the contaminated buildings (#3) is readily accessible. PCBs were detected on the subflooring of the on-site building that previously housed a rehabilitation center; however, since the subfloor is inaccessible, contact with contaminated surfaces is not expected. To minimize potential exposures to contaminated building surfaces, NYSDOH has recommended restricting access to authorized persons only. PCBs were not detected during two rounds of air sampling conducted in the rehabilitation center. Exposures to site-related contaminants in drinking water are not expected since nearby homes and businesses are supplied with public drinking water.

For more Information: [E-mail Us](#)

Refine This Search



Department of
Environmental
Conservation

Environmental Site Remediation Database Search Details

Site Record

Administrative Information

Site Name: Qual Krom Site

Site Code: B00036

Program: Environmental Restoration Program

Classification: C

EPA ID Number:

Location

DEC Region: 3

Address: 28 Orchard Place

City: Poughkeepsie Zip: 12602

County: Dutchess

Latitude: 41.712122207

Longitude: -73.926662504

Site Type:

Estimated Size: 0.2 Acres

Site Owner(s) and Operator(s)

Site Description

This 0.2 acre site is located in a residential section in the City of Poughkeepsie. The site is bordered by an abandoned railroad grade and residential housing. The facility was operated as a metal plating facility until 1987 by the same PRP that operated the hazardous waste site Qual Krom, ID No. 314013. The City took ownership in 1988 for back taxes. Abandoned drums were found inside and outside the building. Samples were collected in 1989. A partial removal was performed in 1992. The drums and wastes that were in the building were similar to those removed from the outside the building. In 1996 the USEPA conducted a CERCLA removal action. It included stabilization of the building; containerization of the vat sludges, drums, and labpacks; inventorying, sampling and analysis of all materials for waste characterization; and disposal. This site was initially designated a potential Registry site ('P' site) and was then remediated under the Environmental Restoration Program. Asbestos abatement, building demolition and soil removal has been completed. Based upon the fact that soil cleanup numbers for unrestricted residential use were met in the excavation confirmation samples, an Environmental Easement will not be required for the property.

Contaminants of Concern (Including Materials Disposed)

Contaminant Name/Type

arsenic

lead

mercury

chromium

Site Environmental Assessment

The primary contaminants of concern at the site are metals. The site has been remediated. Asbestos abatement, building demolition and soil removal has been completed. An Environmental Easement will not be required for the property

Site Health Assessment

This site no longer represents a public health concern because metals-contaminated soils were excavated and properly disposed off-site and municipal water serves the area.

For more Information: [E-mail Us](#)

Refine This Search



Department of
Environmental
Conservation

Environmental Site Remediation Database Search Details

Site Record

Administrative Information

Site Name: Former Hamilton Reproduction

Site Code: B00020

Program: Environmental Restoration Program

Classification: C

EPA ID Number:

Location

DEC Region: 3

Address: 166-186 North Hamilton Street

City: Poughkeepsie (c) Zip: 12601-

County: Dutchess

Latitude: 41.71181953

Longitude: -73.92125559

Site Type:

Estimated Size: 1.96 Acres

Institutional And Engineering Controls

Control Type:

[Environmental Easement](#)

Control Elements:

Ground Water Use Restriction

Vapor Mitigation

Soil Management Plan

Landuse Restriction

Site Management Plan

Site Owner(s) and Operator(s)

Site Description

Investigate approximately 1.96-acre property previously used for various manufacturing operations including buttons, clothing and printing. Contamination included PCBs, asbestos, solvents and petroleum from a 10,000 gallon underground storage tank. The site has been remediated. Asbestos abatement, building demolition and soil removal has been completed. An Environmental Easement was recorded by the County clerk on 6/2/2009. SMP is complete and COC was signed 6/11/2010.

Summary of Project Completion Dates

Projects associated with this site are listed in the Project Completion Dates table and are grouped by Operable Unit (OU). A site can be divided into a number of operable units depending on the complexity of the site and the number of

issues associated with a site. Sites are often divided into operable units based on the media to be addressed (such as groundwater or contaminated soil), geographic area, or other factors.

Project Completion Dates

Contaminants of Concern (Including Materials Disposed)

Contaminant Name/Type

ethylbenzene
iron
trichloroethene (TCE)
benzo(b)fluoranthene
tetrachloroethene (PCE)
toluene
benzene
copper
benzo[k]fluoranthene
benzo(a)anthracene
dibenz[a,h]anthracene
lead
chromium
chrysene
indeno(1,2,3-CD)pyrene
arsenic
benzo(a)pyrene
xylene (mixed)

Site Environmental Assessment

The primary contaminants of concern at the site are solvents, PCBs, and BTEX. The site has been remediated. Asbestos abatement, building demolition and soil removal are completed. Environmental easement and site management plan are in place.

Site Health Assessment

Exposures to potentially contaminated groundwater and/or soils are not expected because public water serves this municipality and contaminated soils have been removed. The environmental easement requires that the potential for vapor intrusion into any buildings developed on the site must be evaluated, including provisions for mitigation of any impacts identified.

For more Information: [E-mail Us](#)

Refine This Search



Department of
Environmental
Conservation

Environmental Site Remediation Database Search Details

Site Record

Administrative Information

Site Name: HRH Lead Abatement Site

Site Code: 314122

Program: State Superfund Program

Classification: A

EPA ID Number:

Location

DEC Region: 3

Address: 55 Garden Street

City: Poughkeepsie **Zip:** 12601

County: Dutchess

Latitude: 41.705761

Longitude: -73.925741

Site Type:

Estimated Size: 0.17 Acres

Site Owner(s) and Operator(s)

Current Owner Name: HRH Neighborhood Development Fund Company

Current Owner(s) Address: 313 Miller Street
Poughkeepsie, NY, 12601

Site Description

Location: The site is located at 55 Garden Street in the City of Poughkeepsie, Dutchess County. **Site Features:** The 0.17 acre site includes a single family home with small front and rear yards. **Current Zoning and Land Use:** The site is currently zoned and in use as a single family residence. **Past Use of the Site:** The site was a single family residence that was abated for lead paint as part of a rehabilitation project. **Site Geology and Hydrogeology:**

Site Environmental Assessment

The primary contaminant associated with the site is lead, which resulted from the abatement of lead paint as part of the rehabilitation of the structure. All lead resulting from the abatement was containerized and properly disposed off-site.

For more Information: [E-mail Us](#)

Refine This Search

August 29, 2023

Scott Parker, ZBA Chair
City of Poughkeepsie
62 Civic Center Plaza
Poughkeepsie, NY 12601

**Re: 27 High Street
Financial Viability**

Dear Mr. Parker:

In our due diligence for the project at 27 High Street, we have assessed the site, constructability, market, area needs, demand drivers, demographics, parking, financial feasibility, among other aspects of development of building and operating a multi-family residential complex and co-working office space. Here, we are responding to the request for more information regarding the financial feasibility of constructing and leasing a multi-family residential building with 74 units and co-working space as proposed, versus 67 residential units as originally approved.

The cost to develop a new building on this site is nearly the same if it contains 74 units compared to if it contains 67 units because of many fixed costs ranging from soft costs and hard costs to financing costs and carry costs. However, the revenues associated with a new building containing 74 units versus 67 units is naturally higher; therefore, the value of a 74-unit building is also higher than a 67-unit building.

27 High Street	67 Units	74 Units
Hard costs	\$15,791,339.00	\$16,001,339.00
Net Operating Income	\$759,050.00	\$838,353.73
Total Development Costs	\$19,363,391.00	\$19,573,391.00
Value As-Stabilized	\$12,650,833.00	\$13,972,550.00
Maximum Loan	\$10,120,666.40	\$11,178,040.00
Loan to Value Ratio	80%	80%
Cap Rate	6%	6%
Equity Required	\$9,242,724.60	\$8,395,351.00



PLANNING CONSULTANTS, INC.

The development of a 74-unit building is anticipated to cost approximately \$19.6 MM while a 67-unit building is anticipated to cost approximately \$19.4 MM. The savings is primarily in hard costs associated with additional kitchens and bathrooms; the rest of the soft costs and carry costs are approximately the same.

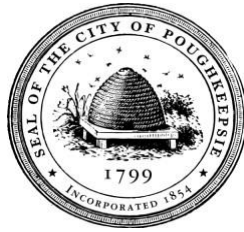
In both scenarios, the as-stabilized value of the building, whether 74-unit or 67-unit, is significantly less than the anticipated development costs. For many developers and investors, this alone would make the project unfeasible as both scenarios require significant equity from the developer to cover costs of construction that will not be covered by the bank loan. The applicant will be seeking additional grants and IDA assistance in an attempt to further reduce this burden. Furthermore, with the amount of private equity required to complete this project, the developer is taking on significant risk due to the relatively weak market of the area surrounding High Street and high interest rates. However, as life-long residents the owners believe this project is essential for the stability and safety of this block and surrounding assets.

We hope this addresses your questions about the project's financial viability, and we are available for further discussion, if need be. We look forward to moving ahead with our planned project at 27 High Street and appreciate your support in stabilizing this block and providing much needed housing for the community.

Thank you,

A handwritten signature in black ink that reads "Natalie Quinn". The signature is written in a cursive, flowing style.

Natalie Quinn



**CITY OF POUGHKEEPSIE
ZONING BOARD OF APPEALS DECISION**

In the matter of the appeal of 27 High Street Lofts, LLC, regarding the property at 27 High Street, Poughkeepsie, New York:

At a Regular Meeting of the Zoning Board of Appeals held on the 12th day of October, 2021, at 6:30pm:

Present

Nathan Shook Chair
John Gildard
Thomas Klug
Rob Page
Steven Reifler
Jessica Vinall

Excused

Scott Parker

WHEREAS, the Zoning Board of Appeals has received an application for area variances relative to the proposed 67 unit multifamily development at 27 High Street, including the conversion of the existing vacant building and construction of a new building, requiring variances of Sections 19-3.15(4)(c), Section 19-3.15(4)(f), Section 19-3.15(4)(g), Section 19-3.15(4)(i), Section 19-4.3(11), Section 19-4.3(1), Section 19-4.3(5)(b), Section 19-4.3(1) of the Zoning Ordinance relative to open space, lot area, yard set-backs, parking, parking layout and landscaping; and;

WHEREAS, the application was accompanied by additional materials, including a site plan prepared by LRC Group, with a revision date of 9/10/21, a Short EAF dated 7/20/21, prepared by Kelly Libolt; and,

WHEREAS, pursuant to the provisions of SEQR, the Planning Board, as lead agency, adopted a Negative Declaration on September 21, 2021; and,

WHEREAS, a public hearing was held on October 12, 2021; and,

WHEREAS, the applicant has demonstrated that the granting of the area variance will not produce an undesirable change in the character of the neighborhood, and will not be a detriment to nearby properties; and,

WHEREAS, the applicant has demonstrated that there is no other feasible method to achieve compliance at this time; and,

WHEREAS, the applicant has demonstrated that the variance requested is not substantial; and,



**CITY OF POUGHKEEPSIE
ZONING BOARD OF APPEALS DECISION**

WHEREAS, the applicant has demonstrated the granting of the variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood; and,

WHEREAS, the applicant has demonstrated that the need for the variances is not necessarily self-created:

NOW THEREFORE BE IT FURTHER RESOLVED that the City of Poughkeepsie Zoning Board of Appeals hereby grants the variances as noted above.

Motion: Jessica Vinall

Second: Robert Page

Carried: 6:0:0

The motion to grant the variances carried unanimously.



Nathan Shook
Chairman
Zoning Board of Appeals



**THE CITY OF POUGHKEEPSIE
NEWYORK
DEVELOPMENT DEPARTMENT
62 CIVIC CENTER PLAZA, 2ND FLOOR
POUGHKEEPSIE, NY 12601
Phone: (845) 451-4007 Fax: (845) 451-4006**

August 11, 2023

27 High Street Lofts LLC
PO Box 792
Poughkeepsie, NY 12602

RE: 27 High Street

The Development Department is in receipt of your application for a mixed use building consisting of 4 live/work lofts, 51 one bedroom units, 19 two bedroom units and office/conference space. The application has been reviewed for compliance with the of the Zoning Ordinance relative to the Medium High Density Residence (R-4) District in which the property is located. Please note that the following deficiencies were noted to exist:

- 1) Section 19-3.15(4)(c) now requiring a lot area of 159,000 square feet resulting from the increase of one-bedroom units to 51, decrease of two-bedroom units to 19, four one-bedroom live-work units and office/conference space. The lot area variance indicated is 11,600 square feet in addition to the 93,821 square feet previously granted for the 1.23-acre lot.
- 2) Section 19-3.15(4)(i) now requires 22,900 square feet of open space resulting from the increase of one-bedroom units to 51 and decrease of two-bedroom units to 19, four one-bedroom live-work units and office/conference space. The open space variance indicated is 255 square feet in addition to the 1,097 square feet previously granted for the 1.23-acre lot.

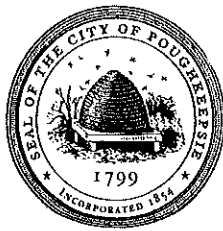
Therefore the application is hereby denied. You may, within sixty (60) days of the date of this letter, either, revise the plan to reflect compliance with the requirements of the Ordinance or appeal the terms of denial to the Zoning Board requesting that variances be granted (forms included).

Please feel free to contact either myself or Deputy Zoning Administrator Joseph O'Brien should you have any questions in this regard.

Very truly yours,

Judith Knauss

Deputy Zoning Administrator



**THE CITY OF POUGHKEEPSIE
NEW YORK
PLANNING & ZONING
62 CIVIC CENTER PLAZA, 2ND FLOOR
POUGHKEEPSIE, NY 12601
Phone: (845) 451-4055 Fax: (845) 451-4006**

FEE: \$350.00
CODE: A2112
ID# _____
IPS# _____

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION

PROPERTY ADDRESS: 27 High Street (6162-62-192294-180291)

ZONING DISTRICT: R-4

OWNER INFORMATION:

Name: 27 High Street Lofts, LLC
Address: PO Box 792
Poughkeepsie, NY 12602
Phone: c/o 845-594-1055
Email: c/o kelly@karcpc.com

APPLICANT INFORMATION:

Name: Same as owner
Address: _____

Phone: _____
Email: _____

CONSULTANT INFORMATION:

Name: KARC Planning Consultants, Inc.
Address: PO Box 924
Poughkeepsie, NY 12602
Phone: 845-594-1055
Email: kelly@karcpc.com

SUBJECT OF APPEAL

This application relative to the above referenced property constitutes an appeal from the decision, determination or violation of an official of the City of Poughkeepsie.

Name and title of agent: Judith Knauss , City of Poughkeepsie Zoning Officer

Date of decision/determination/violation: waiting on review record/letter noting deficiencies from City of Poughkeepsie

Please note that a copy of the communication must be attached with this application.

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION
PROPERTY ADDRESS: 27 High Street (6162-62-192294-180291)

AREA VARIANCE REQUESTS

All sections under this heading must be answered completely. Bear in mind that a variance is actually relief from the strict application of the requirements of the law (the Zoning Ordinance), and the Zoning Board of Appeals is required to give sound reasons, based on the criteria set forth in this application, for granting any such relief.

SECTION	REQUIRING/PROHIBITING	REQUESTED VARIANCE
19-3.15(4)(c)	159,000 sq ft lot area	11,600 sq ft variance
19-3.15(4)(f)	22,900 sq ft open space	255 sq ft variance
see attached addendum		

VARIANCE REQUEST JUSTIFICATION

Pursuant to Section 19-8.4 (2) (d) of the Zoning Ordinance, the Zoning Board of Appeals, in making its determination, shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such granting.

Bear in mind that a variance is actually relief from the strict application of the requirements of the law (the Zoning Ordinance), and the Zoning Board of Appeals is required by law to give sound reasons, based on the criteria set forth in this application, for granting any such relief. **Please note that it is therefore incumbent upon the applicant to demonstrate to the Board that the criteria for the granting of the variance(s) are satisfied.**

Responses to the following questions shall be attached to and submitted with the application.

- 1) Will the granting of the variance produce an undesirable change in the character of the neighborhood or be a detriment to nearby properties? If not, please explain why.
- 2) Can the benefit sought be achieved by some other method feasibly for the applicant to pursue, other than an area variance? Identify what alternatives to the variance, if any, have been explored (for example, alternative designs, purchasing of contiguous properties, etc.). Why is the variance necessary?
- 3) Is/are the requested area variance(s) substantial? Explain why they are not substantial.
- 4) Will the variance(s) have an adverse affect or impact on the physical or environmental conditions in the neighborhood or district? Why not?
- 5) Is the need for the area variance(s) the result of self-created difficulties on your part, or unique to the property? Explain.

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION
PROPERTY ADDRESS: 27 High Street (6162-62-192294-180291)

LIST OF REQUIRED ATTACHMENTS

1. Letter or communication which resulted in application to the ZBA.
2. Site or Plot Plan: Nine (9) copies.
3. Color photos of site conditions: Nine (9) copies
4. Complete Short EAF
5. Electronic file submission of the plot plan and color photos
6. Other attachments deemed pertinent by the applicant (please list):

October 12, 2021 ZBA Decision

SIGNATURE AND VERIFICATION

Please be advised that no application can be deemed complete unless signed below.

THE APPLICANT HEREBY STATES THAT ALL INFORMATION GIVEN IS ACCURATE AS OF THE DATE OF APPLICATION. THE APPLICANT, IF NOT THE OWNER OF THE PROPERTY, HEREBY SWEARS THAT THIS APPLICATION IS MADE WITH THE INFORMED KNOWLEDGE AND CONSENT OF THE OWNER.


SIGNATURE OF APPLICANT

July 18, 2023
DATE

Kelly Libolt
Print Name

27 High Street - ZBA Area Variance Application Addendum

Area Variance(s) Summary:

Area Variance Item	Zoning Code Section	Required Dimension	Proposed Dimension	Variance Granted 10.12.2021	Area Variance Required
Lot Area	19-3.15(4)(c)	159,000 sq. ft.	53,579 sq. ft.	93,821 sq. ft.	11,600 sq. ft.
Open Space	19-3.15(4)(f)	22,900 sq. ft.	21,548 sq. ft.	1,097 sq. ft.	255 sq. ft.

The zoning board of appeals shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination the board shall also consider:

1. Will the granting of the variance produce an undesirable change in the character of the neighborhood or be a detriment to nearby properties? If not, please explain why.

The character of the neighborhood is currently characterized as medium-density residential, with instances of intermixed industrial, commercial, and warehousing uses. The site in question is somewhat of an existing anomaly within the neighborhood due to its large parcel size (53,578 square feet), historic commercial use, and existing three-story structure with a partially exposed basement level, making the building appear as four stories on the Elm Place frontage. The majority of parcels within the immediate vicinity have an average lot area of 6,500 square feet and contain structures of 2.5 stories.

Lot Area: The requested lot area variance of 11,600 sq. ft. will have no impact on the previously approved bulk or height of the development and will therefore have zero impact on the aesthetic characteristics of the neighborhood.

The lot area variance, which is tied to the number of bedrooms per unit, is related to a density increase of 7 units and the addition of co-working office space within the approved building footprint. The addition of these units and office space will have minimal impact on traffic levels versus what was previously approved and will not have an adverse impact on parking within the neighborhood.

Traffic: Based on ITE trip generation standards¹, the addition of 7 low- to mid-rise apartment units is estimated to generate an additional 35 ADT (average daily trips). However, this number is expected to be lower than ITE standards due to the more urban nature of the neighborhood, lower local rates of car ownership, and the availability of office / co-working space on site. In regard to change to the character of the neighborhood, the previous general office use had an estimated ADT of 323 trips (11.7 trips per 1,000 SF of office space¹). The proposed use of 74 residential units is estimated to generate 370 ADT in total, which is somewhat larger but generally similar to traffic generated by the previous use.

Parking: With regards to parking, a total of 131 spaces is required by code and the

¹ Trip Generation. By ITE Technical Council Committee A6A. https://nacto.org/docs/usdg/trip_generation_ite.pdf

proposed project includes 97 parking spaces on site. The applicant is seeking an additional waiver of 22 spaces from the Planning Board, as a waiver of 11 spaces was previously granted in 2021. The applicant is confident that 97 on-site parking spaces will be sufficient to meet the needs of future residents and visitors of the proposed development. The proposed project includes a total of 74 units, or 93 bedrooms. As the property owner has done for other residential developments within the area, including the recently completed Fulton Landing in Town of Poughkeepsie, residents of 27 High Street will be offered one parking space per bedroom – i.e. one-bedroom units will be offered one parking space and two-bedroom units will be offered two parking spaces. Parking will not be assigned, but offered on a first-come, first-served basis with parking permits posted in windshield to ensure only permitted cars are parking in the lot. Assuming all residents are home at the same time, this will leave an excess of four (4) parking spaces for non-resident users of the coworking space. All tenants will be instructed to have visitors park at 9 Oakley, an adjacent property owned by the applicant/owner. 9 Oakley currently has 15 parking spaces to serve an industrial / warehousing facility. The lot is never more than 20% occupied during peak hours.

Furthermore, the addition of 7 units and co-working space improves the character of the community by meeting both City² and County³ goals of increasing housing supply to address an ongoing housing crisis, while also providing a community asset of flexible coworking space for a significant percentage of the population that now work either fully remote or hybrid jobs⁴.

Open Space: The site is currently characterized by limited landscaped open space. The proposed project will improve outdoor open space and indoor common space on-site significantly via the creation of balconies, fitness room, outdoor landscaped areas, and an outdoor roof terrace. The requested variance of 255 sq ft of open space will have minimal to no impact on the community character since new residents of the proposed development will be adequately served by the 21,500 sq. ft of proposed open space on-site, and both residents of the building and neighborhood will be served by improved outdoor spaces within the immediate vicinity, including the newly upgraded Malcolm X Park and forthcoming Urban Rail Trail along the former CSX rail line, with direct connection to Dutchess County Rail Trail / The Empire Trail.

2. Can the benefit sought be achieved by some other method feasible for the applicant to pursue, other than an area variance? Identify what alternatives to the variance, if any, have been explored. Why is the variance necessary.

The benefit sought by the applicant includes the creation of more two-bedroom units, as well as the creation of commercial office space desired by the City of Poughkeepsie IDA. The amendment also allows for a better floor plan layout and mix of apartments. One alternative explored was the purchase of adjacent properties in order to add more square

² Poughkeepsie Housing Needs Assessment, March 2022, prepared by Hudson Valley Pattern for Progress, [web link](#).

³ Dutchess County Housing Needs Assessment, March 2022, prepared by czbLLC, [web link](#).

⁴ Barrero, Jose Maria, Nicholas Bloom, and Steven J. Davis, 2021. "Why working from home will stick," National Bureau of Economic Research Working Paper 28731. www.wfhresearch.com

footage to the property to address lot area and open space needs. However, there are no vacant parcels adjacent to the property. The applicant did, however, purchase 9 W. Oakley Street in 2021 to provide auxiliary parking for visitor parking, if needed. The applicant also explored other design layouts for the project in an attempt to achieve their desired benefit while eliminating or lessening the need for variances. However, the design proposed was deemed to be the best option for the addition of two-bedroom units and superior unit layout, while still achieving a project that is financially feasible and meets the desired use mix of the IDA.

3. Are the requested variances substantial? Explain why they are not substantial.

The requested lot area variance of 11,600 square feet is only 7% of the total required lot area. The requested open space variance of 255 square feet is only 1% of the total required open space. The requested variances are numerically insubstantial, but more importantly, will not have a substantial adverse impact on the community.

4. Will the variance(s) have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district? Why not?

The requested variances will have zero impact on environmentally sensitive land such as wetlands. The project is not significant enough to be classified as a Type 1 Action nor rise to the level of triggering a coordinated review under SEQRA.

5. Is the need for the area variances the result of self-created difficulties on the part of the applicant, or unique to the property.

The need for area variances is self-created due to the applicant's desire to rehabilitate an existing structure, and add needed housing units to the community, via a financially feasible development— i.e. requiring a specific number of units and commercial office space component to meet requirements of the IDA. However, the fact that the hardship is self-created does not preclude the granting of the variances.

July 18, 2023

Ms. Judith Knauss
City of Poughkeepsie Zoning Administrator
62 Civic Center Plaza
Poughkeepsie, NY 12601

**Re: 27 High Street
Amendment to Approved Site Plan – Area Variances**

Dear Ms. Knauss:

Enclosed please find nine (9) copies of the following for your review:

1. Application for Area Variances dated July 18, 2023
2. Amended Site Plan prepared by LRC dated June 27, 2023
3. SEAF Part 1 dated July 20, 2021
4. ZBA Decision dated October 12, 2021
5. Fee for the amount of \$350

As you may know, this project located at 27 High Street, Parcel ID 131300-6162-62-192294, received Planning Board approval on October 19, 2021 and plans were signed on July 1, 2022. The project was granted an extension on May 16, 2023.

On October 12, 2021, the Zoning Board of Appeals granted the following variances:

Area Variance Item	Zoning Code Section	Required Dimension	Approved Dimension	Area Variance Granted
Lot Area	19-3.15(4)(c)	147,400 sq. ft.	53,578.8 sq. ft	93,821 sq. ft.
Front Yard	19-3.15(4)(f)	20 ft.	0 ft. Elm 0 ft. Zimmer	20 ft. Elm 20 ft. Zimmer
Building Height	19-3.15(4)(g)	3 stories	3.5/4 existing 4 proposed	1 story

Area Variance Item	Zoning Code Section	Required Dimension	Approved Dimension	Area Variance Granted
Open Space	19-3.15(4)(i)	20,100 sq. ft.	19,003 sq. ft.	1,097 sq. ft.
Parking	19-4.3(11)	108 spaces	97 spaces	Wavier from Planning Board
Parking Rows	19-4.3(1)	No more than 12 spaces in a row	2 rows containing Continuous 16 and 17 spaces	2 rows non-compliant
Parking Aisle	19-4.3(5)(b)	22 ft. aisle	20 ft. aisle	2 ft.
Landscaping	19-4.3(1)	3 ft.	0 ft. Zimmer	3 ft.
Landscaping Strips	19-4.11(b)	3 ft.	0 ft. Elm 0 ft. Zimmer	3 ft. Elm 3 ft. Zimmer

The site plan has since been amended to include commercial space. Due to this change the applicant is seeking the following additional variances:

Open Space:

Current Required: 22,900 SF
 Current Proposed: 21,548 SF
 Variance: 1,352 SF

Variance Granted: 1,097 SF
Current Variance Needed 255 SF

Total Lot:

Current Required: 159,000 SF
 Current Proposed: 53,579 SF
 Variance: 105,421 SF

Variance Granted: 93,821 SF
Current Variance Needed: 11,600 SF

Please see the attached addendum supporting the proposed area variances.



PLANNING CONSULTANTS, INC.

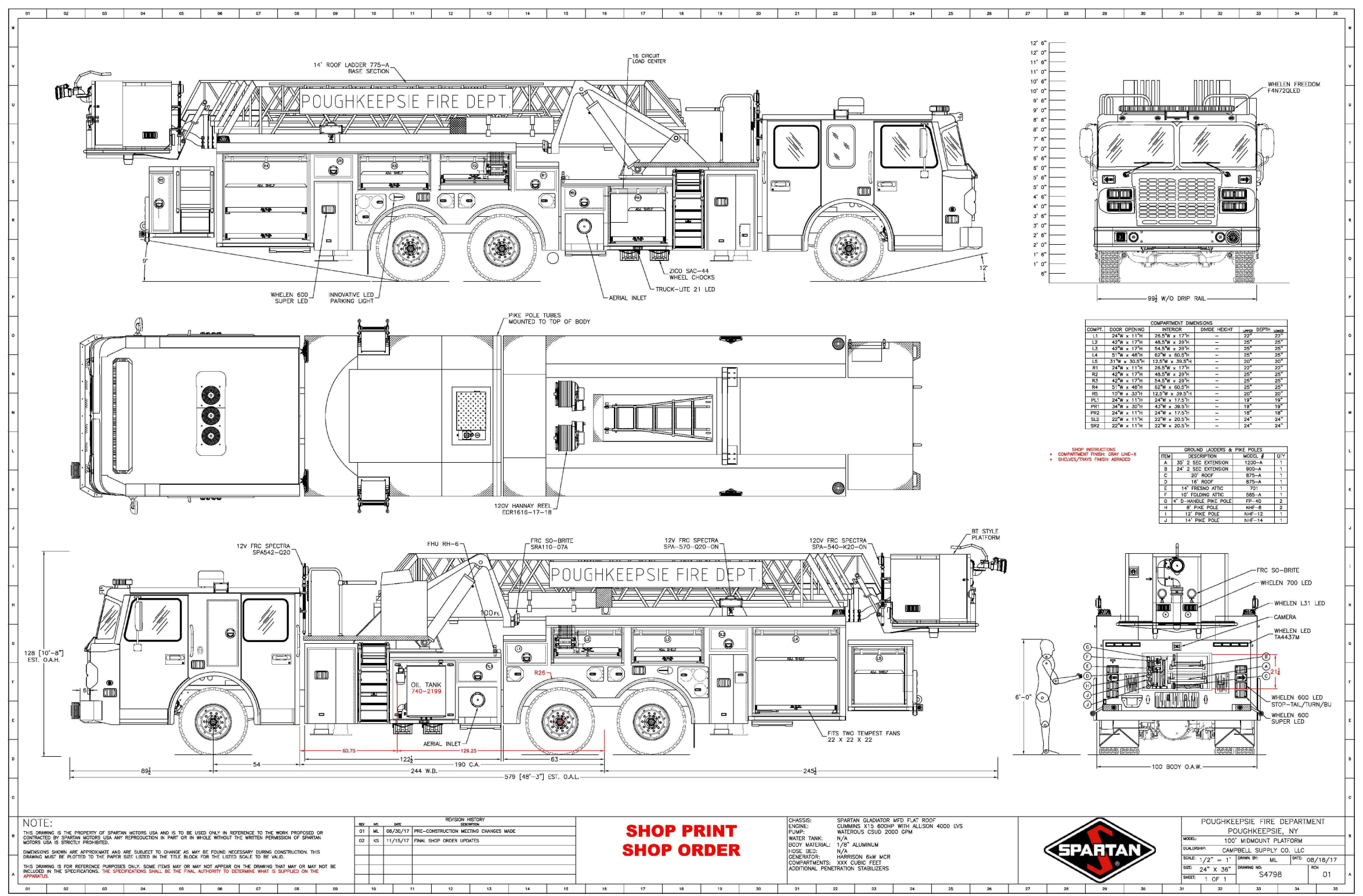
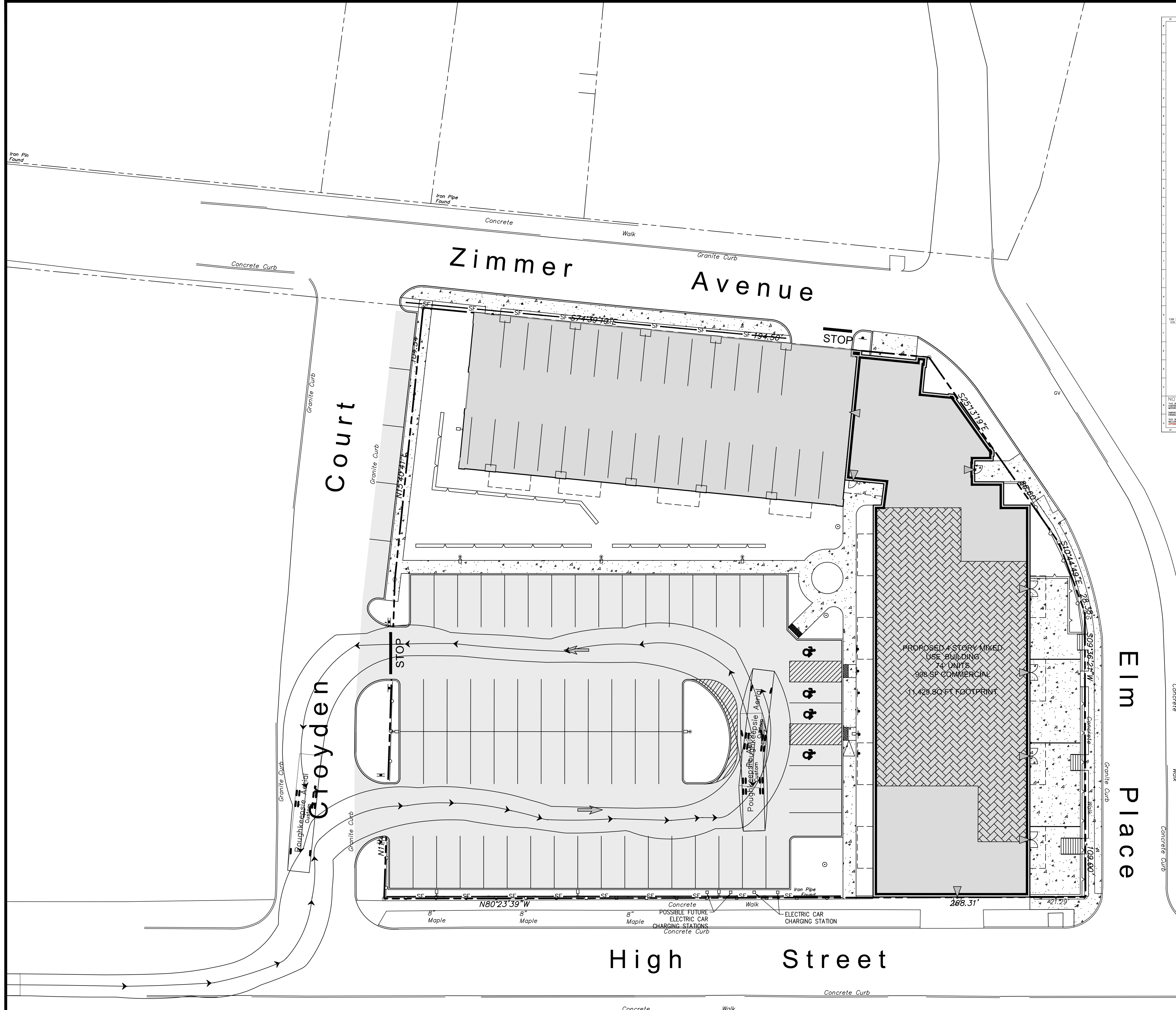
We kindly ask to be placed on the next Zoning Board Agenda on August 8, 2023.

Thank you,

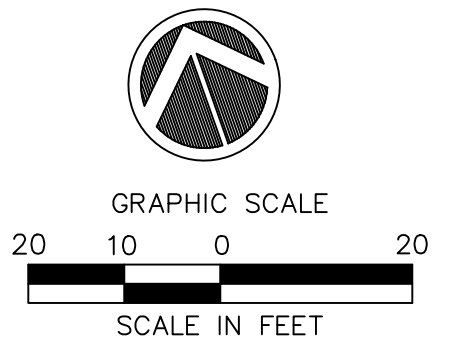
A handwritten signature in blue ink that reads "KLibolt".

Kelly Libolt

X:\Jobs\Jobs 2018\18-227-Page Park - High Street\DWG\TT18227701.dwg



SPARTAN FIRE TRUCK UTILIZED FOR ALL FIRE TRUCK MOVEMENTS



#	Date	Revisions
1	2021-04-04	REVISED PER COMMENTS
2	2021-04-10	REVISED PER COMMENTS
3	2021-04-29	SUBMITTED FOR SIGNATURES
4	2021-04-29	SUBMITTED FOR SIGNATURES
5	2021-04-29	REVISED PER COMMENTS
6	2021-04-29	REVISED PER COMMENTS
7	2021-04-29	REVISED PER COMMENTS
8	2021-04-29	REVISED PER COMMENTS

● Land Planning

● Civil Engineering

● Environmental Services

● Land Surveying

● Landscape Architecture

85 Civic Center Plaza, Suite 103
Poughkeepsie, NY 12601
Tel: 845.243.2880

160 West Street, Suite E
Cromwell, CT 06416
Tel: 860.635.2977

1 International Blvd., Suite 400
Mahwah, NJ 07495
Tel: 908.693.5750

www.lrcconsult.com

LRC Engineering and Surveying, DPC

LRC Engineering and Surveying, LLC

LRC Environmental Services, Inc.

Land Resource Consultants, Inc.

Design/CalcsBS

DrawnSMC

CheckedKFC

ApprovedREM

CAD FileTT18227701.dwg

Project No.18-2277

Date2021-04-02

Scale1"=20'

Sheet No.

TT-1

TRUCK TURNING PLAN

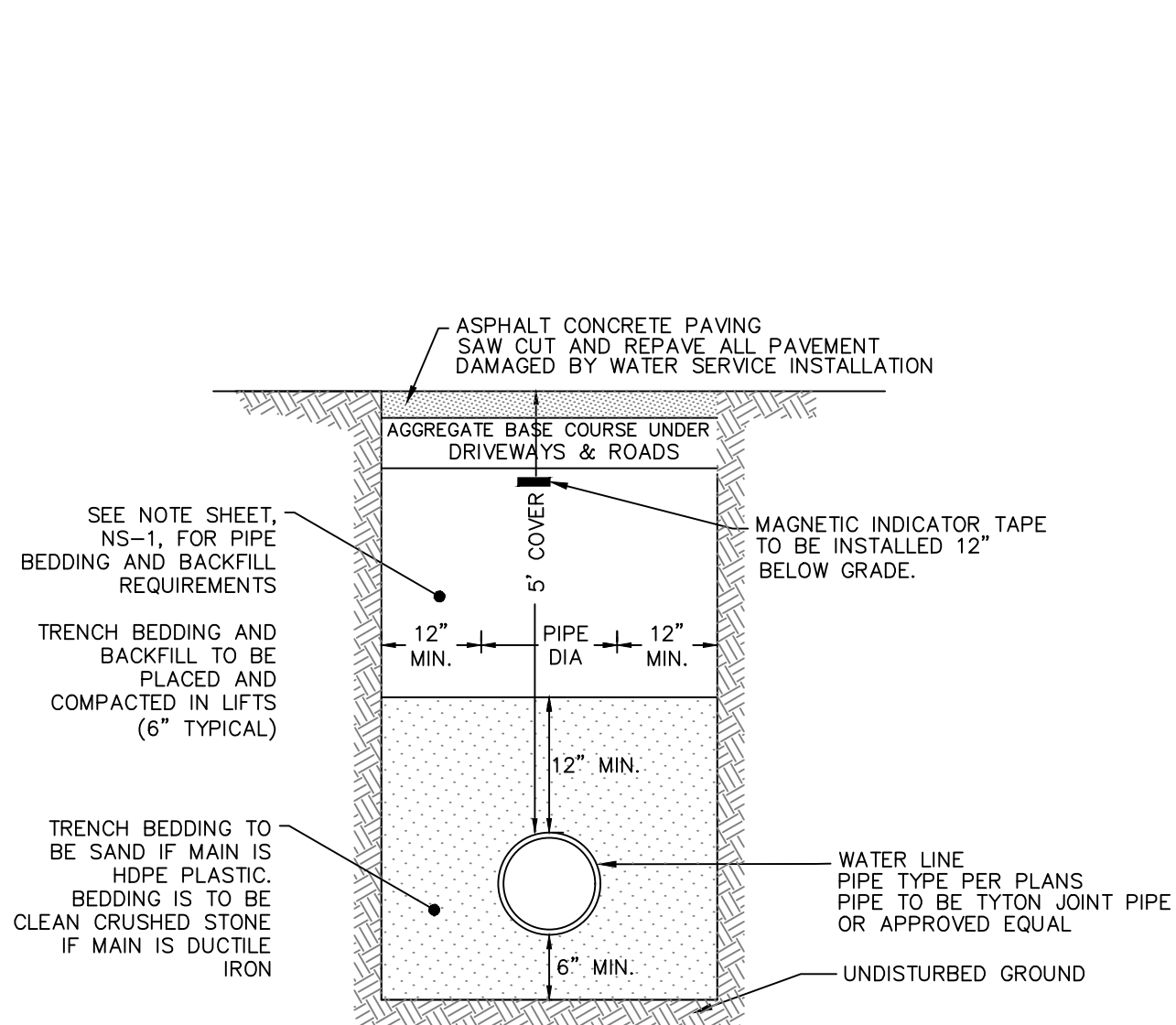
RESIDENTIAL DEVELOPMENT

27 HIGH STREET

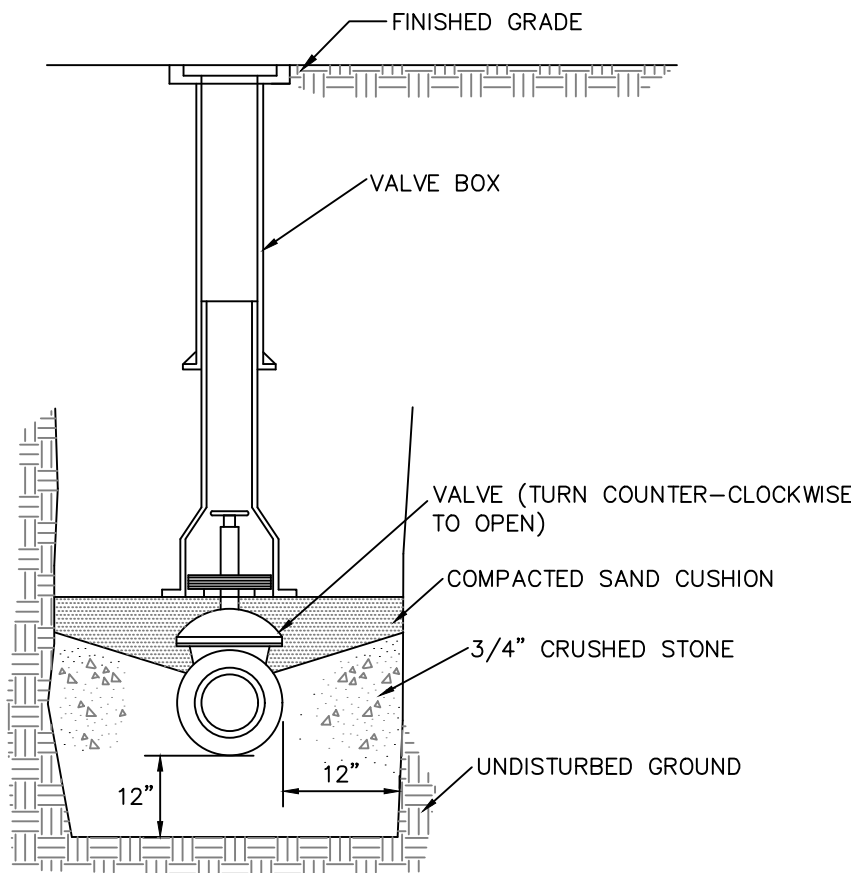
CITY OF POUGHKEEPSIE,

DUTCHESS COUNTY, NEW YORK

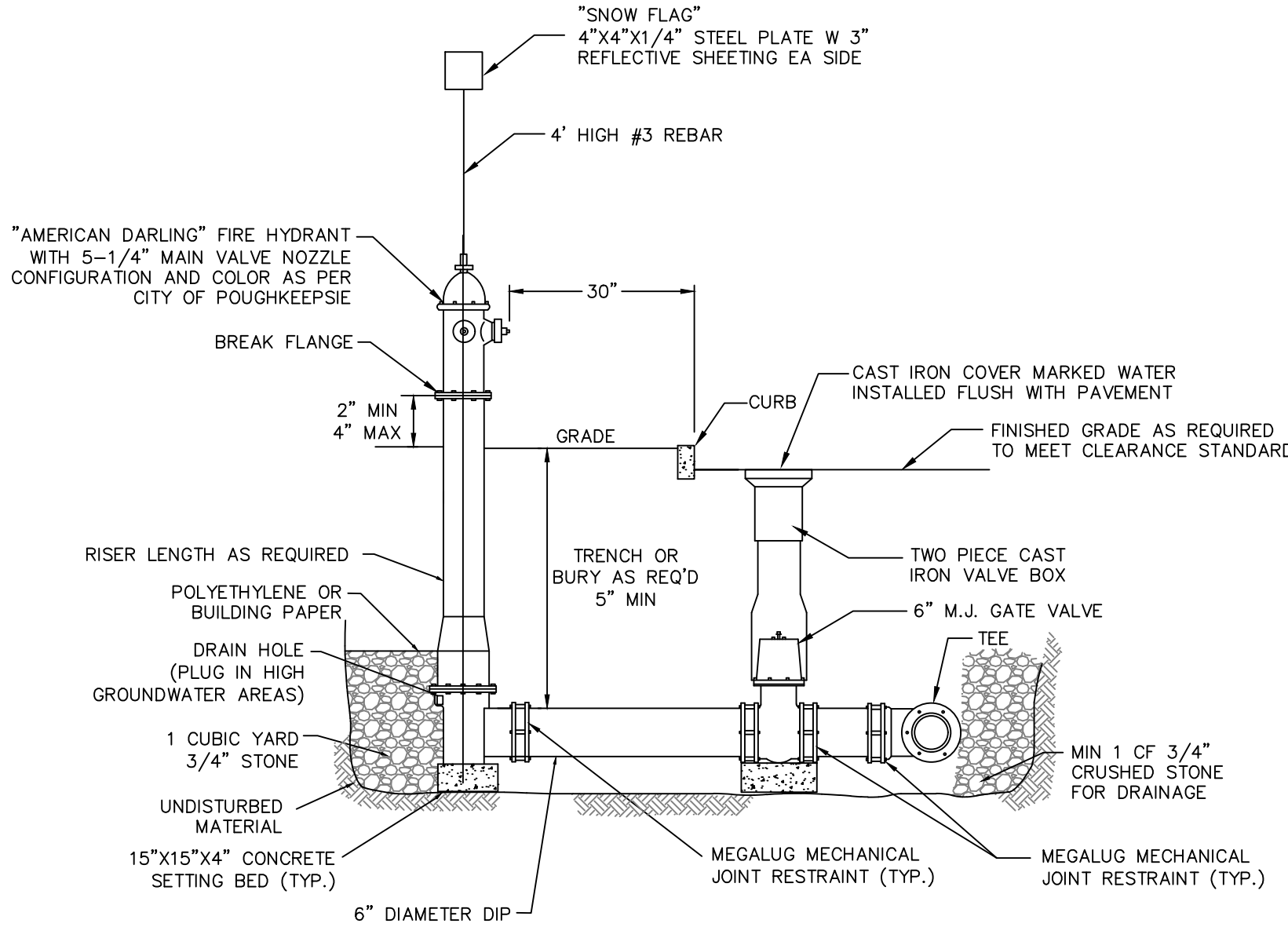
Page 180 of 236



1
DN-3
WATER MAIN TRENCH
NOT TO SCALE

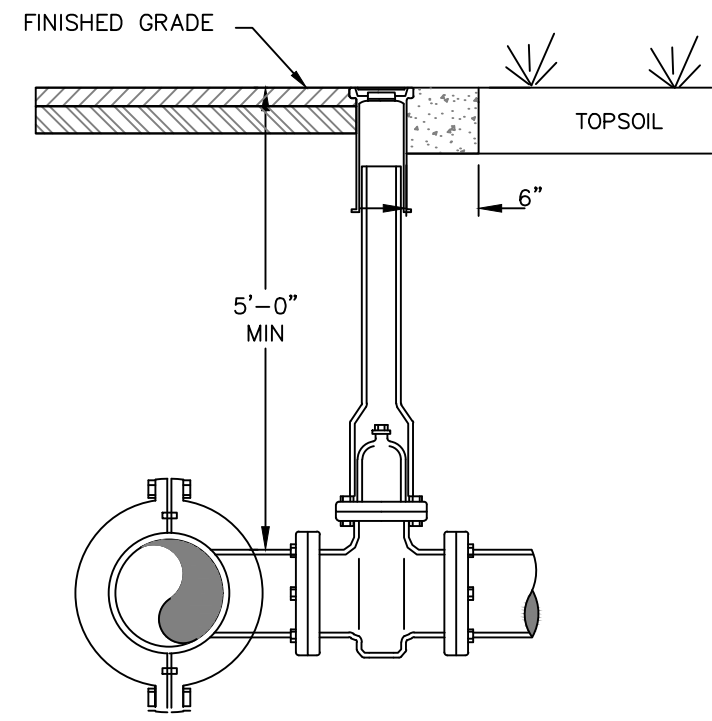


2
DN-3
VALVE AND VALVE BOX DETAIL
NOT TO SCALE



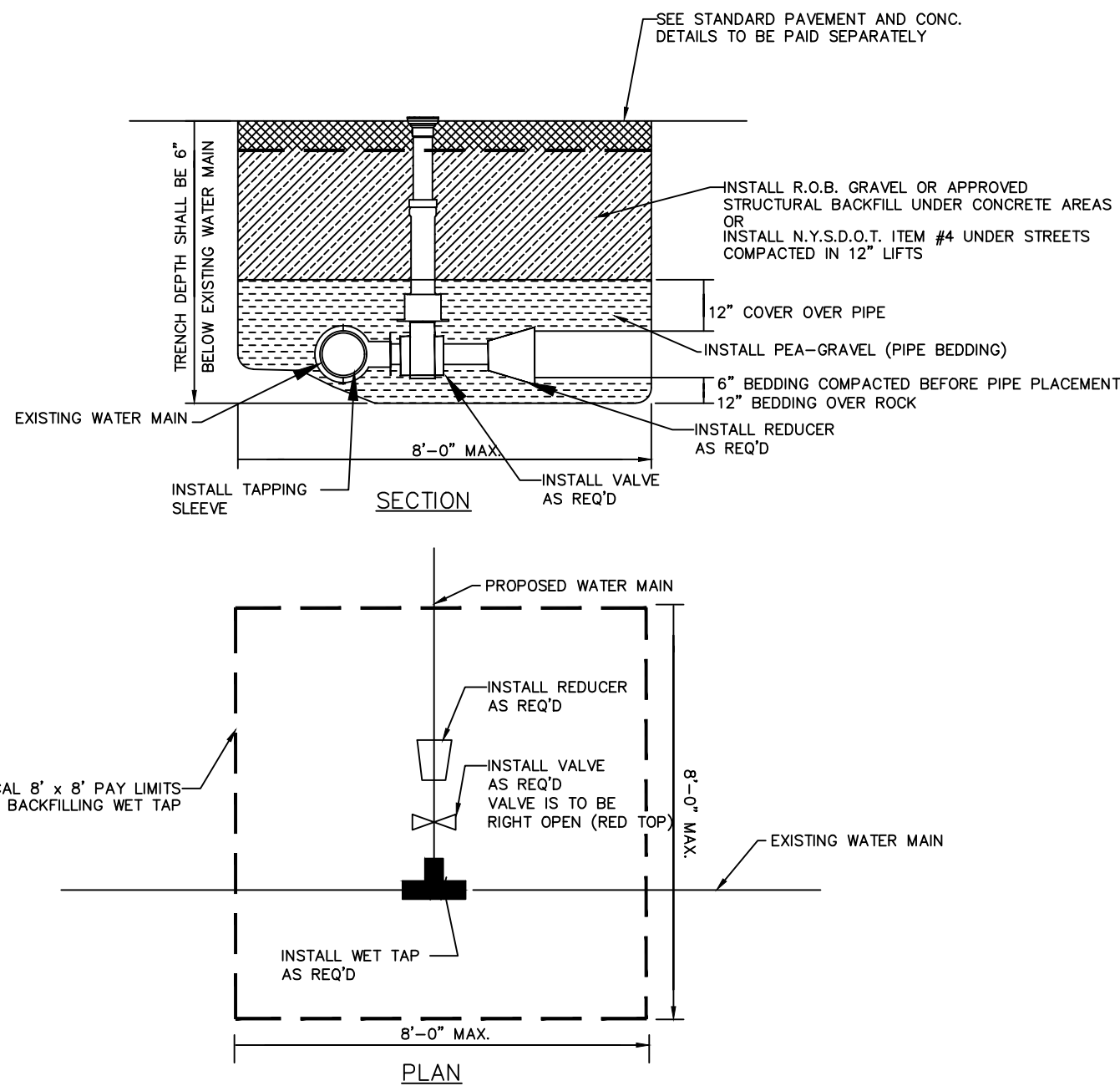
3
DN-3
HYDRANT AND VALVE ASSEMBLY DETAIL
INSTALLATION (ADJACENT CURB)
NOT TO SCALE

- NOTES:
- PROPOSED LOCATIONS OF HYDRANTS TO BE FIELD LOCATED (STAKED) AND APPROVED BY WATER SUPERINTENDENT PRIOR TO INSTALLATION
 - HYDRANT WITH PROPER RISER LENGTH (DEPTH OF BURY) SHALL BE INSTALLED TO MEET ALL NFPA 24 STANDARDS.
 - ALL HYDRANTS TO MEET SPECIFICATIONS OF CITY OF PoughKEEPSIE STANDARDS.
 - FIRE HYDRANT TO BE FLOW TESTED AND BANDED IN ACCORDANCE WITH NFPA STANDARDS.



- NOTES:
- WET TAP OF WATER MAIN SHALL BE PERFORMED UNDER THE SUPERVISION OF THE ENGINEER, AND THE CITY OF PoughKEEPSIE.
- TAPPING SLEEVE AND VALVE SUPPORT SHALL BE COORDINATED WITH THE ENGINEER TO SUIT FIELD CONDITIONS.
 - MINIMUM DISTANCE TO JOINTS, FITTINGS, OR OTHER WET TAPS OR STOPS SHALL BE 3 FEET.
 - VALVE OPERATING DIRECTION SHALL BE COUNTERCLOCKWISE TO OPEN (TURNING LEFT).
 - STAINLESS STEEL TAPPING SLEEVE SHALL BE SELECTED TO FIT EXISTING PIPE MATERIAL (C.I., D.I., A.C.) AND OUTSIDE DIAMETERS.
 - TAPPING SLEEVE, RESILIENT WEDGE VALVE & VALVE BOX SHALL BE IN ACCORDANCE WITH CITY OF PoughKEEPSIE STANDARDS & AS MANUFACTURED BY (MUELLER) OR APPROVED EQUIVALENT.
 - ALL JOINTS SHALL UTILIZE MEGA LUG RETAINER GLAND.
 - PIPE BEDDING AND BACKFILL TO BE INSTALLED IN ACCORDANCE WITH PIPE TRENCHING DETAIL.

4
DN-3
WATER TAPPING SLEEVE AND VALVE
NOT TO SCALE



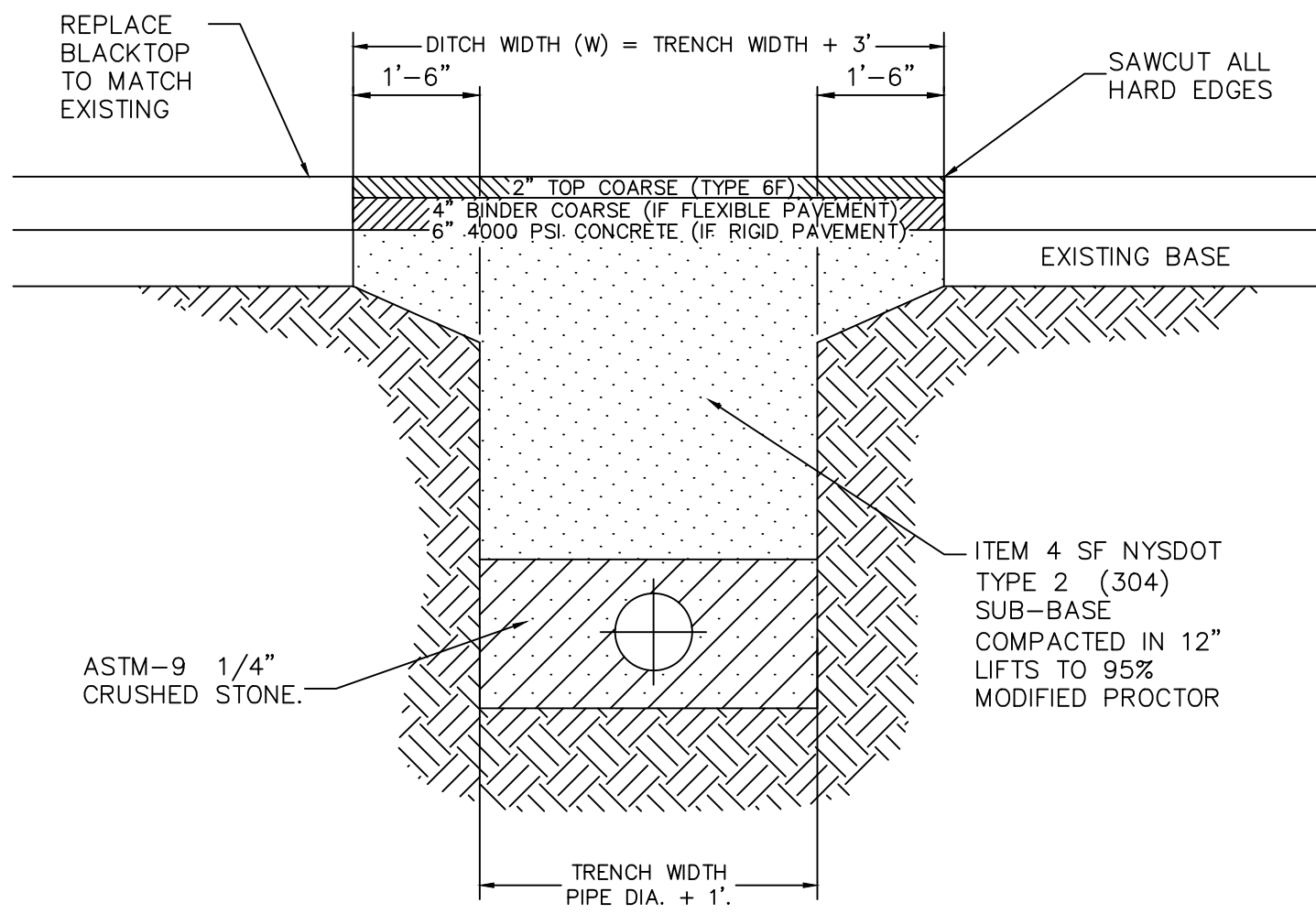
NOTE: ALL BACKFILL TO BE PLACED IN 1' LIFTS AND COMPACTED TO 95% OF MODIFIED PROCTOR (ASTM 1557)

TAPPING SLEEVE & VALVE
SCALE: N.T.S.

CITY OF PoughKEEPSIE
ENGINEERING DEPARTMENT
80 WASHINGTON STREET
POUGHKEEPSIE, NY 12602

FILE NO.:
DATE: 3-6-00
SCALE: AS NOTED
DRAWN BY: JP

TAPPING SLEEVE & VALVE
PAGE NO. 1



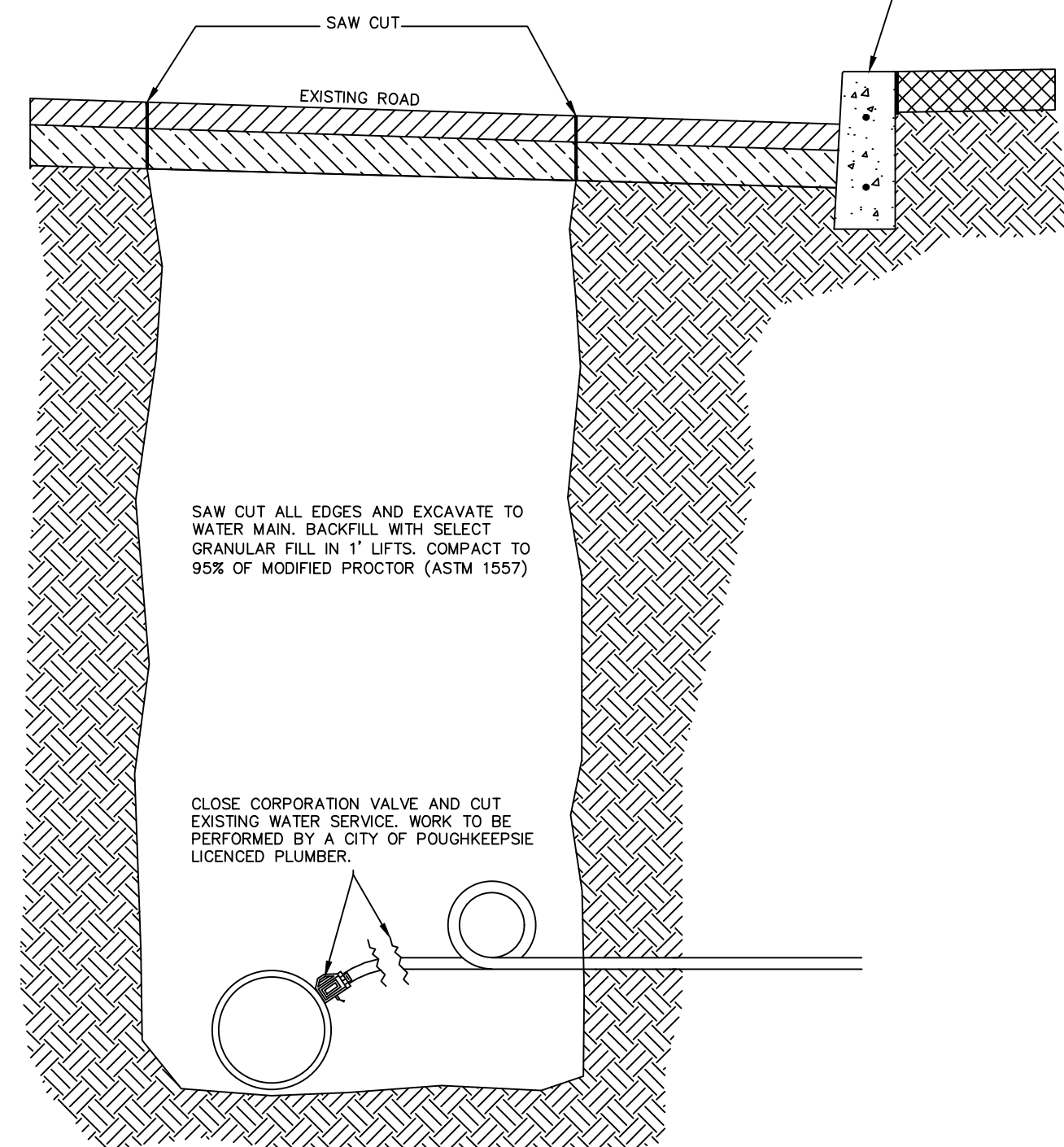
NOTES:

- DITCH WIDTH SHALL EXTEND A MINIMUM OF ONE AND ONE-HALF FT. FROM THE EDGES OF THE TRENCH.
- REPLACED BASE MATERIAL OVER TRENCH SHALL BE ITEM 4 COMPACTED IN 12" LIFTS.
- PIPE BEDDING SHALL BE A MINIMUM OF 6" ABOVE AND BELOW PIPE
- ALL JOINTS SHALL BE MECHANICALLY SAWED.
- ALL JOINTS SHALL BE SQUARED TO THE EXISTING EDGE OF CURB AND/OR PAVEMENT, AND TACK COATED PER DETAIL.
- ROAD SURFACE REPLACEMENT SHALL BE MINIMUM OF SIX INCHES OF ASPHALTIC CONCRETE.
- ASPHALT PAVEMENT TO BE PLACED IN TWO LIFTS AS SHOWN.

CITY OF PoughKEEPSIE
ENGINEERING DEPARTMENT
62 CIVIC CENTER PLAZA
POUGHKEEPSIE, NY 12602

FILE NO.: FLEXPAVE.DWG
DATE: 9-9-04
SCALE: AS NOTED
DRAWN BY: ENGINEERING

TRENCH AND PAVEMENT DETAIL



WATER SERVICE DISCONNECT AT MAIN
SCALE: N.T.S.

CITY OF PoughKEEPSIE
ENGINEERING DEPARTMENT
80 WASHINGTON STREET
POUGHKEEPSIE, NY 12602

FILE NO.:
DATE: 08-21-08
SCALE: AS NOTED
DRAWN BY: JTK

WATER DISCONNECT @ MAIN
PAGE NO. 1

Date	Revised	Comments
2011-04-04	REVISED PER COMMENTS	
2011-09-10	REVISED PER COMMENTS	
2011-10-28	REVISED PER COMMENTS	
2011-12-08	SUBMITTED FOR SIGNATURES	
2012-04-17	REVISED PER UNIT COUNTS	
2012-08-28	REVISED PER COMMENTS	

LRC GROUP
• Land Planning • Civil Engineering • Environmental Services • Land Surveying • Landscape Architecture
85 Civic Center Plaza, Suite 103 Poughkeepsie NY 12601 Tel:845.243.2880
160 West Street, Suite E Cromwell, CT 06416 Tel:908.603.5770
1 International Blvd., Suite 400 Mahwah, NJ 07495 Tel:908.603.5770
www.lrcconsult.com
LRC Engineering and Surveying, DPC LRC Engineering and Surveying, LLC LRC Environmental Services, Inc. Land Resource Consultants, Inc.

WATER DETAILS

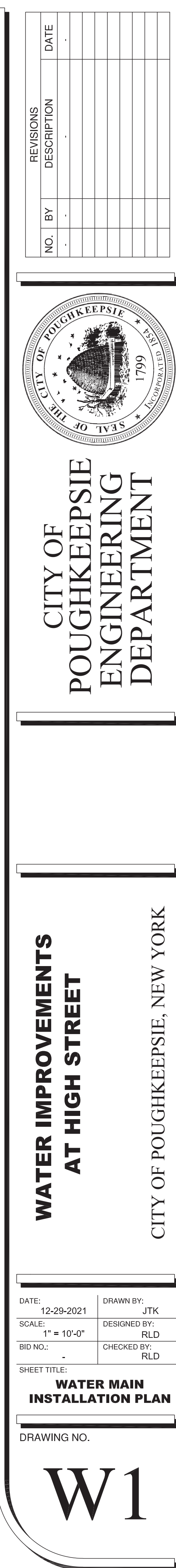
RESIDENTIAL DEVELOPMENT

27 HIGH STREET
CITY OF PoughKEEPSIE,
DUTCHESS COUNTY, NEW YORK

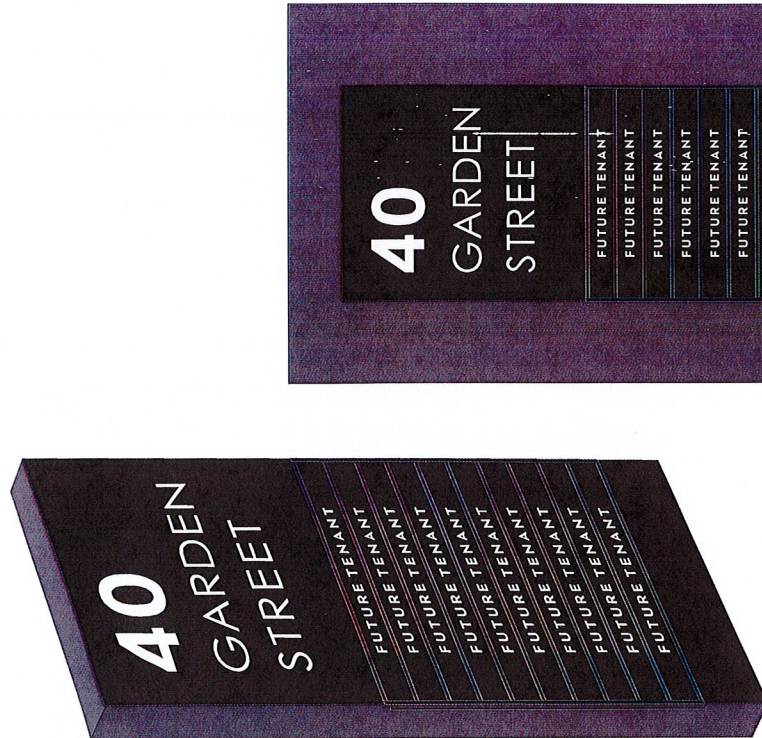
Design/Calcs	BS	CAD File	DN18227703.dwg	Sheet No.
Drawn	SMC	Project No.	18-2277	
Checked	KFC	Date	2021-04-02	
Approved	REM	Scale	NTS	

DN-3





Revised per commwents 2023-08-28



Perspective View

Tenant Panel Visible Opening:
5.75" x 46"
x 10 = 18.4 SF
Address = 3.75 SF
TOTAL = 22.2 SF



Elevation View of Proposed S/F Sign

Simulated Night View



Sheet:

B.1

This diagram is the property of GNS Group Ltd., and may not be reproduced without written consent until such time an agreement has been reached as to the terms and conditions of the sale of this diagram.

Client Approval: _____

Date: _____

Date: 11.22.21

rsd 05.22.2023

File Name:

BAXTER CONS\ Proposed signage_278 Mill Street with tenants_07-11-22.cdr

Client/Project location:

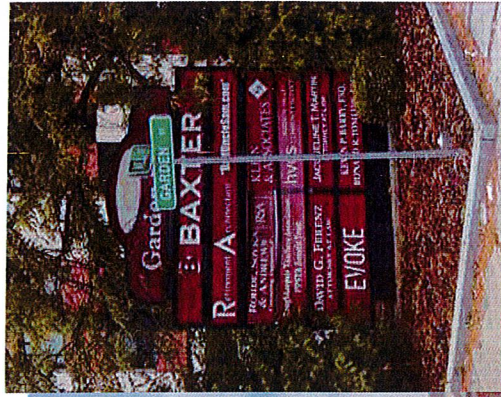
Proposed signage 278 Mill Street

97 North Clinton Street

Poughkeepsie, NY 12601
845-471-4366 - phone
845-471-0987 - fax
www.gnsgrouppltd.com



100 sq ft.



Existing "40 Garden St." Sign to be removed.

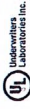
New Sign to be installed with minimum 5' setback from Property Line.



Sheet:

B.2

This diagram is the property of GNS Group Ltd., and may not be reproduced without written consent until such time an agreement has been reached as to the terms and conditions of the sale of this diagram.



Client Approval: _____

Date: _____

Date: 11.22.21

rvsd 05.22.2023

Scale:

File Name:
BAXTER CONS' Proposed
signage_278 Mill Street
with tenants_07-11-22.cdr

Client/Project location:
Proposed signage
278 Mill Street

97 North Clinton Street
Poughkeepsie, NY 12601
845-471-4366 - phone
845-471-0987 - fax
www.gnsgroupita.com



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3. Only boundary survey maps with the surveyor's embossed or red inked seal are genuine true and correct copies of the surveyor's original work and opinion. A copy of this document without a proper application of the surveyor's embossed or red inked seal should be assumed to be an unauthorized copy.

4. *Certifications on this boundary survey map signify that the map was prepared in accordance with the current existing Code of Rules and Regulations for Land Surveyors adopted by the New York State Association of Professional Land Surveyors, Inc. The certification is limited to persons or firms who have not been previously debarred, prepared, to the title company, to the governmental agency, and to the lending institution listed on this boundary survey map.*

5. The certifications herein are not transferable.

6. The location of underground improvements or encroachments are not always known and often must be estimated. If any underground improvements or encroachments exist or are shown, the improvements or encroachments are not covered by this certificate.

7. Title Report Reference FHT1113 Dated February 21, 2022

8. Subject to covenants, easements, restrictions, conditions and agreements of record.

9. Subject to any right, title or interest the public may have for highway use.

10. Bearings and North shown hereon are referenced to NAD 83-NY East using NYSNET RTN GPS.

City of Poughkeepsie, Dutchess County,
New York
6162-69-084135

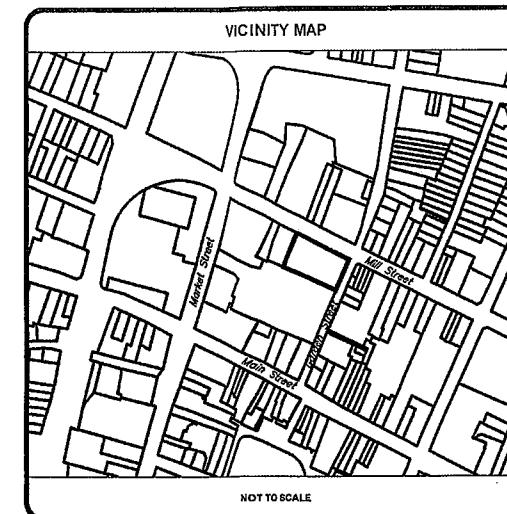
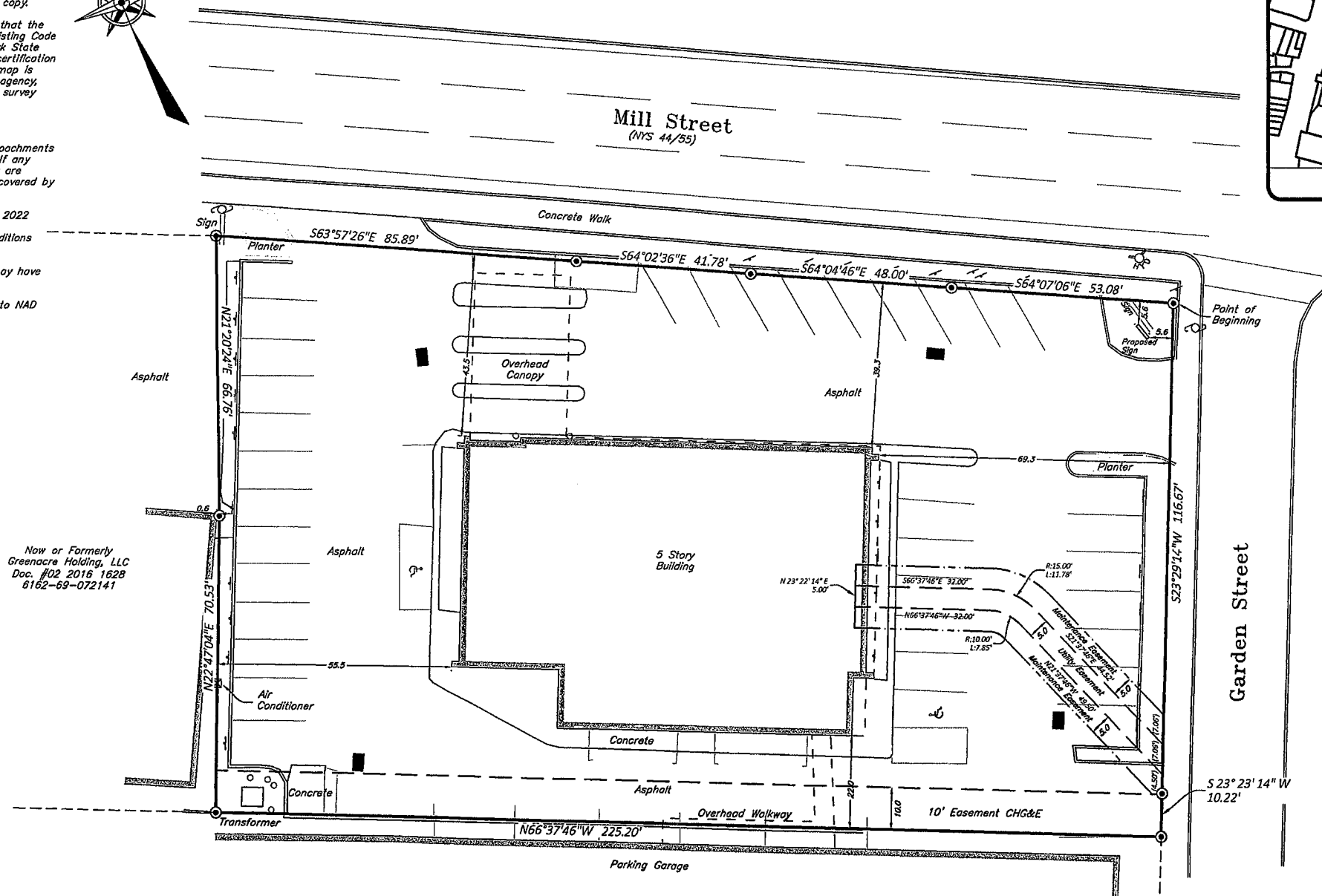
Doc. #02 2011 5743
BHR Properties II, LLC
To
40 Garden Street, LLC
December 7, 2011

Subject parcel is located within the Urban Village (UV) as shown on a map entitled "City of Poughkeepsie Zoning District" Prepared by the City of Poughkeepsie Planning Board on November 29, 2019.

Subject parcel is located in Flood Zone 'X'
Unshaded as shown on FEMA FIRM
3602C0358E effective date 5/2/2012

278 Mill Street, Poughkeepsie, NY 12601

Total Spaces: 46
Handicap Spaces: 2



Being a Parcel of land situate, lying and being in the City of Poughkeepsie, County of Dutchess and State of New York being bounded and describes as follows:

Beginning at a point located at the southerly intersection of Mill Street (AKA NYS Rt 44/35) and Garden Street, said point being the northeast corner of the herein described parcel; Thence along Garden Street S 23° 29' 14" W for a distance of 116.67 feet and S 23° 23' 14" W for a distance of 10.22 feet to a point, said point being the northeast corner of the lands, now or formerly, City of Poughkeepsie (Liber 1543, Page 505); Thence along the same N 65° 37' 46" W for a distance of 225.20 feet to a point, said point being the southeast corner of the lands, now or formerly, Greencore Holding, LLC (Doc. #02 2016 1628). Thence along the same N 22° 47' 04" E for a distance of 70.53 feet and N 21° 20' 24" E for a distance of 66.76 feet to a point, said point being located on the southerly line of said Mill Street; Thence along the same the following four (4) courses:

- the following four (4) courses:
1. S 63° 57' 26" E for a distance of 85.89 feet;
 2. S 64° 02' 36" E for a distance of 41.78 feet;
 3. S 64° 04' 46" E for a distance of 48.00 feet and
 4. S 64° 07' 06" E for a distance of 53.08 feet
- to the Point or Place of Beginning.

Liber 1450, Page 15-as shown hereon
Liber 1471, Page 512-as shown hereon

TO:
40 Gorden LLC
First Hudson Title Agency LLC
Fidelity Title Insurance Company
TD Bank N.A. - ISADA, ATIMA

THIS IS TO CERTIFY THAT THIS PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDE ITEMS 2, 3, 4, 6(A), 8, 10, 11(A), 13 AND 19 OF TABLE A THEREOF.

DATE OF MAP March 16, 2022

REV.	DATE	DESCRIPTION



BRENDAN JOHNSON, P.L.S.
P.L.S. No. 50919

 $1'' = 20'$

278 MILL ST

**ALTA/NSPS SURVEY
PREPARED FOR
40 GARDEN STREET, LLC**

CITY OF POUGHKEEPSIE, COUNTY OF DUTCHESS, STATE OF NEW YORK

tax id		6162-68-084135	
address			
278 MILL STREET			
date	drawn		
3/17/2022	BJ		
scale	checked		
1"=20'	BJ		
project no.			
22-039			
project name			
278 MILL ST			
sheet			
1 OF 1			

JOHNSON SURVEYING

BRENDAN JOHNSON, PLS
10 Meadow Lane
Pleasant Valley, NY 12569
Phone No. (845) 380-0528
johnsonboundaries@gmail.com

Copyright 2014

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Monument Sign 278 Mill St.			
Name of Action or Project: 278 Mill St.			
Project Location (describe, and attach a location map): 278 Mill Street (corner of Garden St.)			
Brief Description of Proposed Action: Installation of a monument sign to replace existing one damaged by an accident			
Name of Applicant or Sponsor: GNS Group, Ltd		Telephone: 845-471-4366	
Address: 97 N Clinton St.		E-Mail: hforrest@gnsgruopltd.com	
City/PO: Poughkeepsie		State: NY	Zip Code: 12601
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			NO ☐
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			YES ☒
2. Does the proposed action require a permit, approval or funding from any other government Agency?			NO ☒
If Yes, list agency(s) name and permit or approval:			YES ☐
3. a. Total acreage of the site of the proposed action?		0 acres	
b. Total acreage to be physically disturbed?		0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
☒ Urban ☐ Rural (non-agriculture) ☐ Industrial ☒ Commercial ☐ Residential (suburban)			
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify):			
☐ Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	☐	☒	☐
b. Consistent with the adopted comprehensive plan?	☐	☒	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	☐	☒	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	☒	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	☒	☐	
b. Are public transportation services available at or near the site of the proposed action?	☐	☒	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☐	☒	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	☒	☐	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	☒	☐	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	☒	☐	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	☒	☐	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	☒	☐	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	☒	☐	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	☒	☐	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☒ Urban ☐ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	☒	☐
16. Is the project site located in the 100-year flood plan?	NO	YES
	☒	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	☒	☐
a. Will storm water discharges flow to adjacent properties?	☒	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	☒	☐
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	☒	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	☒	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	☒	☐
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>Nancy Forrest</u> Date: <u>3/27/23</u>		
Signature: <u>Nancy Forrest</u> Title: <u>applicant</u>		

PRINT FORM



**THE CITY OF POUGHKEEPSIE
NEW YORK**

DEVELOPMENT DEPARTMENT

62 CIVIC CENTER PLAZA, 2ND FLOOR

POUGHKEEPSIE, NY 12601

Phone: (845) 451-4263 Fax: (845) 451-4006

MEMORANDUM

To: GNS Group, Ltd.

From: Tyler Maegerle, Junior Planner

Date: 6/29/2023

Re: 40 Garden Street

Upon review of project materials provided by the applicant, including Short EAF Part 1 and site plan application, it is my understanding that the proposed action to be undertaken includes installation of a replacement sign.

Based on the above description it is the determination of the planning division that the proposed action is classified as Type II Action with regards to SEQRA pursuant to 6 NYCRR Section 617.5 (c)(2) "replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building, energy, or fire codes unless such action meets or exceeds any of the thresholds in section 617.4 of this Part." The action is therefore not subject to further environmental review.



BUILDING DEPARTMENT

CITY OF POUGHKEEPSIE
62 CIVIC CENTER PLAZA, 2ND FLOOR
POUGHKEEPSIE, NY 12601
Phone: (845) 451-4007 Fax: (845) 451-4006

Eric Philipp
Building Inspector

April 19th, 2023

GNS Group Ltd
97 N Clinton Street
Poughkeepsie NY 12601

Re: 278 Mill Street
ID # 339170
Sign Permit Application # 2023-14

To Whom it May Concern;

A review of the Sign Permit application # 2023-14 found it to be deficient to complete the review process and issue the permit. Below is/are the deficiencies found;

- ✓ 1. 19-4.9(9)(d)1. Requires the location of freestanding signs be located in the front yard and a minimum of 5' from the front property line; please submit a plot plan drawn to scale showing the proposed location.
- Variance 2. 19-4.9(9)(d)2. Limits the maximum height of freestanding signs in nonresidential zoning districts to 6'; the proposed plans indicate the height is 11'.
- Variance 3. 19-4.9(9)(d)2. Limits the sign face to a maximum of 36 square feet; the proposed sign is 44 square feet.
- noted on drawing 4. 19-4.9(8)(c)1.g.i. requires that signs on nonresidential properties may be illuminated from 5:00 a.m. until 11:00 p.m., or 1/2 hour past the close of business of the facility being identified or advertised, whichever is later. A business or facility that is open 24 hours a day is not required to turn off its sign(s); this will be indicated as a condition of approval on your permit if issued.
- noted on drawing 5. 19-4.9(8)(c)1.g.ii. requires that signs shall provide an automatic timer to comply with the intent of this section; there is no mention that an automatic timer will be installed on your application.
6. A building permit including electrical will be required for the sign and stated as a condition of approval if the permit is issued.

Variance For amount of words

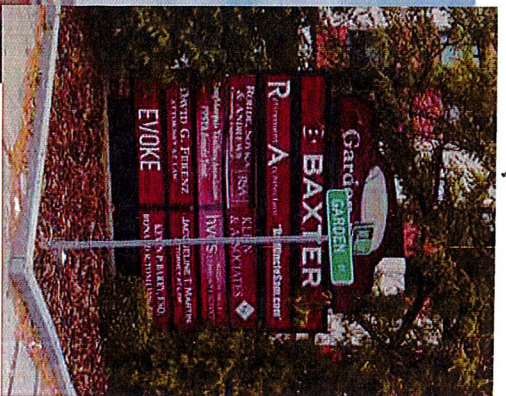
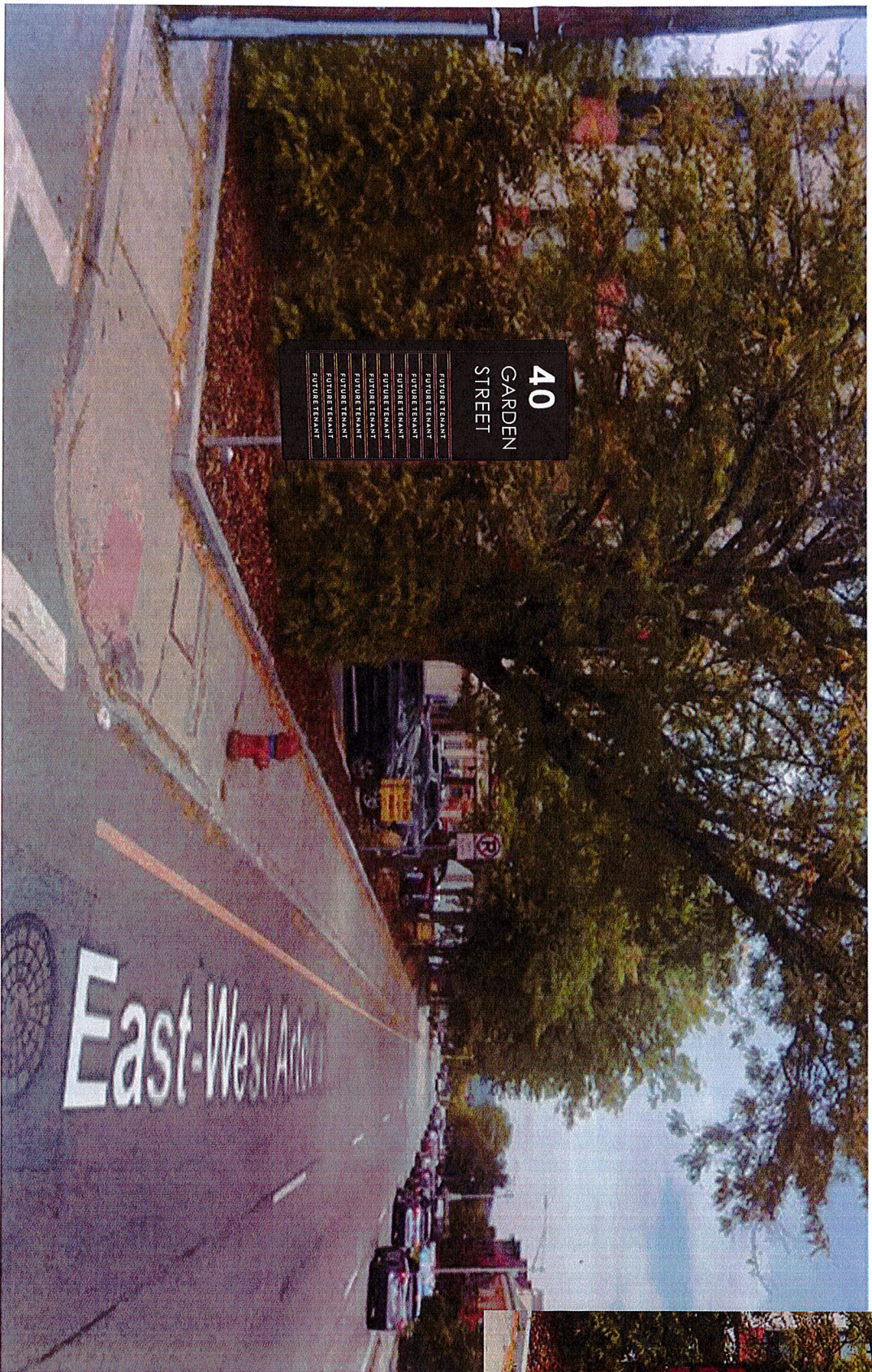
Please submit the required additional information as listed above so that the review process can be completed and application approved. Your application will be kept on file for a period of 30 days, failure to submit the required documentation in the specified time frame shall cause the application to expire.

If you have any questions you may contact me at 845-451-4273 or at jobrien@cityofpoughkeepsie.com.

Page 1

Communication
letter resulting
in application
to ZBA

100 sq.ft.
↓



Existing "40 Garden St." sign to be removed.

New Sign to be installed with minimum 5' setback from Property line.

GNS
GROUP
97 North Clinton Street
Poughkeepsie, NY 12601
845-471-4366 - phone
845-471-0987 - fax
www.gnsgroupid.com

Client/Project location:
Proposed signage
278 Mill Street

File Name:
BAXTER CONSL Proposed
signage_278 Mill Street
with tenants_07-11-22.cdr

Date: 11.22.21
rwsd 05.22.2023
Scale:

Client Approval: _____
Date: _____

This diagram is the property of GNS Group Ltd., and may not be reproduced without written consent until such time an agreement has been reached as to the terms and conditions of the sale of this diagram.



Sheet:
B.2



THE CITY OF POUGHKEEPSIE
NEW YORK
PLANNING & ZONING
62 CIVIC CENTER PLAZA, 2ND FLOOR
POUGHKEEPSIE, NY 12601
Phone: (845) 451-4055 Fax: (845) 451-4006

FEE: \$350.00
CODE: A2112
ID# _____
IPS# _____

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION

PROPERTY ADDRESS: 278 Mill St.
ZONING DISTRICT: C2

OWNER INFORMATION:

Name: 40 Garden St. LLC
Address: 278 Mill St. Suite 100
Poughkeepsie, NY 12601
Phone: 845-471-1047
Email: Amanda@baxterbuilt.com

APPLICANT INFORMATION:

Name: GNS Group, Ltd.
Address: 97 N Clinton St.
Poughkeepsie, NY 12601
Phone: 845-471-4366
Email: nforrester@gnsgroupltd.com

CONSULTANT INFORMATION:

Name: n/a
Address: _____

Phone: _____
Email: _____

SUBJECT OF APPEAL

This application relative to the above referenced property constitutes an appeal from the decision, determination or violation of an official of the City of Poughkeepsie.

Name and title of agent: Joseph O'Brien
Date of decision/determination/violation: 4/19/2023

Please note that a copy of the communication must be attached with this application.

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION
PROPERTY ADDRESS: _____

AREA VARIANCE REQUESTS

All sections under this heading must be answered completely. Bear in mind that a variance is actually relief from the strict application of the requirements of the law (the Zoning Ordinance), and the Zoning Board of Appeals is required to give sound reasons, based on the criteria set forth in this application, for granting any such relief.

SECTION	REQUIRING/PROHIBITING	REQUESTED VARIANCE
<u>19-4.9(a)(d)2</u>	<u>6' height</u>	<u>5'</u>
<u>19-4.9(a)(d)2</u>	<u>36 sq ft sign</u>	<u>8 sq ft</u>
<u>19-4.9(a)(d)4</u>	<u>5 words max</u>	<u>40-50 words</u>
_____	_____	_____
_____	_____	_____

VARIANCE REQUEST JUSTIFICATION

Pursuant to Section 19-8.4 (2) (d) of the Zoning Ordinance, the Zoning Board of Appeals, in making its determination, shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such granting.

Bear in mind that a variance is actually relief from the strict application of the requirements of the law (the Zoning Ordinance), and the Zoning Board of Appeals is required by law to give sound reasons, based on the criteria set forth in this application, for granting any such relief. **Please note that it is therefore incumbent upon the applicant to demonstrate to the Board that the criteria for the granting of the variance(s) are satisfied.**

Responses to the following questions shall be attached to and submitted with the application.

- 1) Will the granting of the variance produce an undesirable change in the character of the neighborhood or be a detriment to nearby properties? If not, please explain why.
- 2) Can the benefit sought be achieved by some other method feasibly for the applicant to pursue, other than an area variance? Identify what alternatives to the variance, if any, have been explored (for example, alternative designs, purchasing of contiguous properties, etc.). Why is the variance necessary?
- 3) Is/are the requested area variance(s) substantial? Explain why they are not substantial.
- 4) Will the variance(s) have an adverse affect or impact on the physical or environmental conditions in the neighborhood or district? Why not?
- 5) Is the need for the area variance(s) the result of self-created difficulties on your part, or unique to the property? Explain.

VARIANCE REQUEST JUSTIFICATION 1-5

- 1) THE GRANTING OF THE VARIANCE WILL NOT PRODUCE AN UNDESIRABLE CHANGE IN THE CHARACTER OF THE NEIGHBORHOOD OR BE A DETRIMENT TO NEARBY PROPERTIES. THE PROPERTY CURRENTLY HAS A LARGER FREESTANDING DIRECTORY SIGN AND THERE ARE NEIGHBORING FREESTANDING SIGNS ON THE ARTERIAL.
- 2) THERE IS NO FEASIBLE ALTERNATIVE TO THE AREA VARIANCE. THE SIZE HAS BEEN REDUCED FROM WHAT CURRENTLY EXISTS ON THE SITE THEREFORE REDUCING THE REQUESTED SQ. FT. FOR THE SIGN. The directory is needed for the tenants of the building.
- 3) THE REQUESTED VARIANCE IS NOT SUBSTANTIAL FOR THE AMOUNT OF TENANTS TO BE LISTED ON THE DIRECTORY.
- 4) THE VARIANCE WILL NOT HAVE AN ADVERSE AFFECT OR IMPACT ON THE PYSICAL OR ENVIRONMENTAL CONDITIONS IN THE NEIGHBORHOOD.THERE IS CURRENTLY A SIGN IN THIS LOCATION AS WELL AS OTHER SIGNS ALONG THE ARTERIAL. SIGNS ARE NOT AN ENVIRONMENTAL ISSUE.
- 5) THE NEED FOR THE VARIANCE IS NOT SELF CREATED. WHEN THE SIGN ORDINANCE WAS RE WRITTEN THERE WAS NO INCLUSION FOR BUILDINGS WITH MULTIPLE TENANTS THEREFORE REQUIRING A VARIANCE. SELF CREATED IS NOT AUTOMATIC REASON FOR DISMISSAL OF APPROVALS FROM THE BOARD.

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION
PROPERTY ADDRESS: _____

LIST OF REQUIRED ATTACHMENTS

- ✓ 1. Letter or communication which resulted in application to the ZBA.
- ✓ 2. Site or Plot Plan: Nine (9) copies.
- ✓ 3. Color photos of site conditions: Nine (9) copies
- ✓ 4. Complete Short EAF
- 5. Electronic file submission of the plot plan and color photos
- 6. Other attachments deemed pertinent by the applicant (please list):

photo of existing monument sign

SIGNATURE AND VERIFICATION

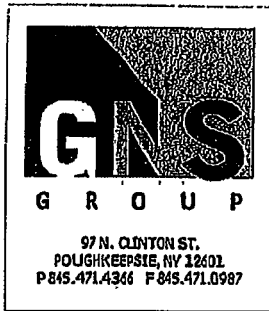
Please be advised that no application can be deemed complete unless signed below.

THE APPLICANT HEREBY STATES THAT ALL INFORMATION GIVEN IS ACCURATE AS OF THE DATE OF APPLICATION. THE APPLICANT, IF NOT THE OWNER OF THE PROPERTY, HEREBY SWEARS THAT THIS APPLICATION IS MADE WITH THE INFORMED KNOWLEDGE AND CONSENT OF THE OWNER.

Nancy Forrest
SIGNATURE OF APPLICANT

5/25/23
DATE

Nancy Forrest
Print Name



NOTICE of Owner's Consent

Date: 2/7/23

Property: 40 Garden St.

Owner of Record: 289 Main St., LLC
Address: 11 Garden Street
Poughkeepsie NY 12601

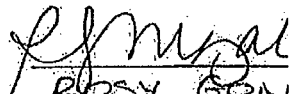
Phone: 845-471-1047

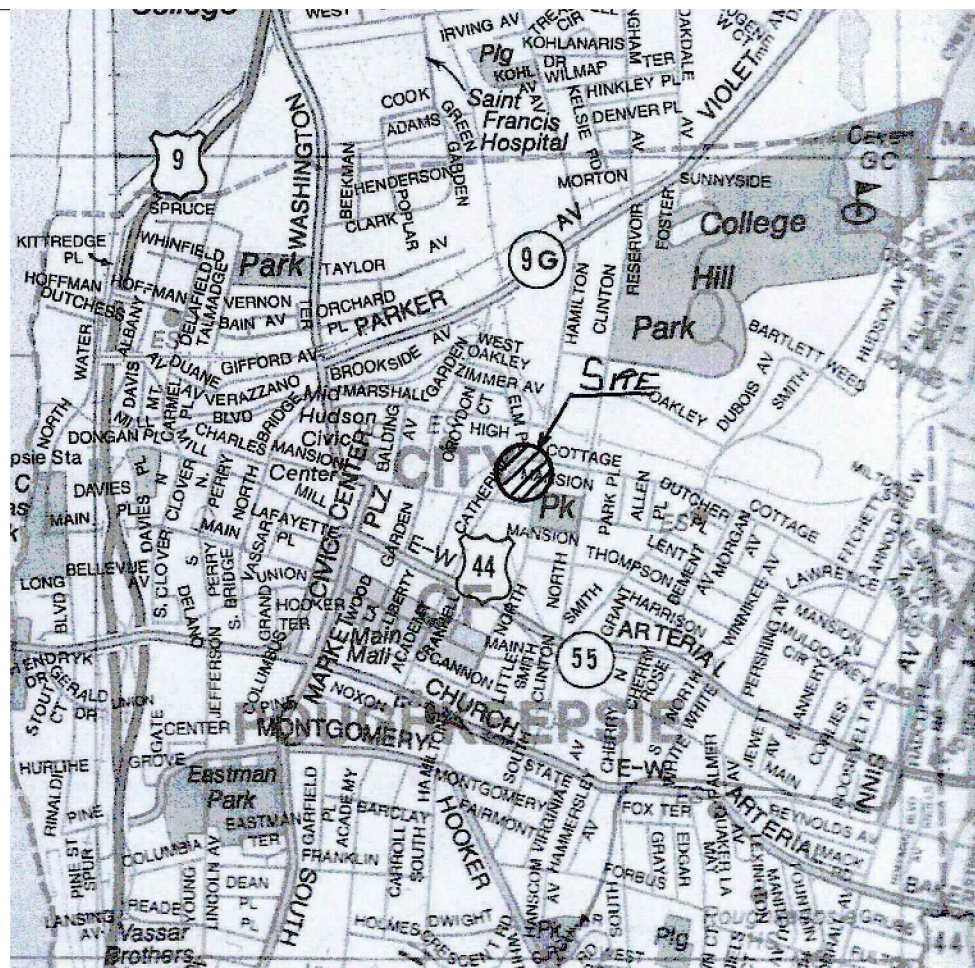
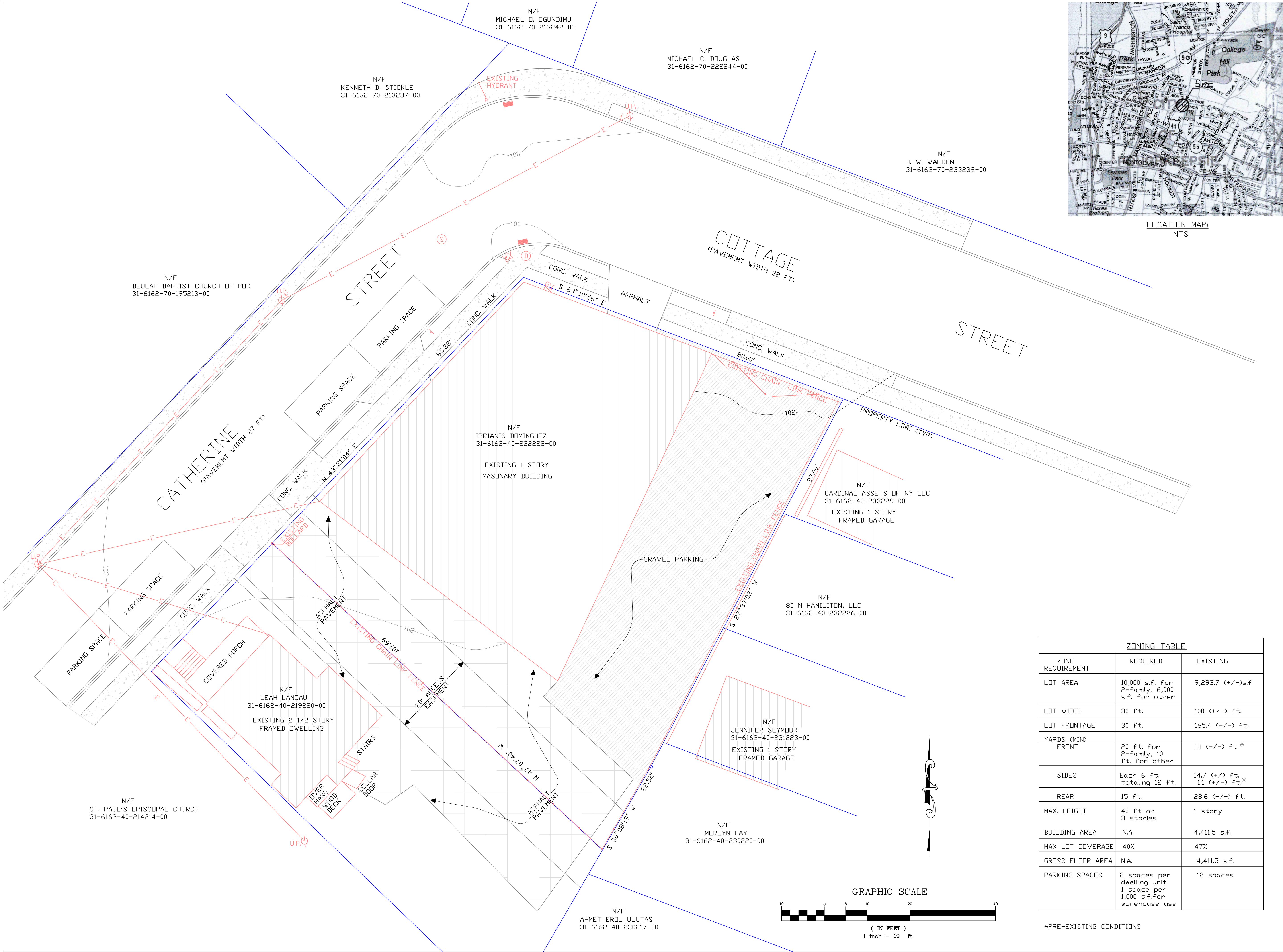
I (we) Rosy Gonzalez hereby give consent to the GNS Group, Ltd., Gloede Signs to act as my (our) agent with regard to this application.

Signed

Print

Title


ROSY GON 2
EXECUTIVE PROPERTY MGR.



LOCATION MAP:
NTS

General Notes

UNAUTHORIZED ALTERATIONS OR ADDITIONS TO THIS DRAWING IS A VIOLATION OF SECTION 7209(2) OF NYS EDUCATION LAW.

NOTES:

SITE PLAN PREPARED USING PREVIOUS SURVEY PREPARED BY:
CHAZEN ENGINEERING & LAND SURVEYING CO., P.C.

FOR "SUDIVISION PLAN OF LANDS OF SURVEYING CO., P.C.

FOR "SUDIVISION PLAN OF LANDS OF GLOEDE NEON SIGNS, LTD" FILED ON 12/11/98, FM# 10706

AND WITH FIELD INSPECTION/ VERIFICATION ON DECEMBER 7, 2022

OWNER INFORMATION:

IBRIANIS DOMINGUEZ
88 RINALDI BLVD.
POUGHKEEPSIE, NY 12601

TAX IDENTIFICATION:

131300-6162-70-222228-0000

EX. LAND USE CLASS: 449 COMMERCIAL: STORAGE, WAREHOUSE AND DISTRIBUTION FACILITIES:
OTHER STORAGE, WAREHOUSE AND DISTRIBUTION FACILITIES

- LEGEND:
- EXISTING STRUCTURE
 - EXISTING GRAVEL SURFACE
 - EXISTING ASPHALT SURFACE
 - EXISTING CONC. SIDEWALK
 - EXISTING OVERHEAD ELEC. — E —
 - EXISTING WATER VALVE W/V
 - EXISTING GAS VALVE G/V
 - EXISTING DRAIN MANHOLE (D)
 - EXISTING DRAIN INLET
 - EXISTING SANITARY MANHOLE (S)
 - EXISTING FENCE — o —
 - EXISTING SIGN

ZONING TABLE		
ZONE REQUIREMENT	REQUIRED	EXISTING
LOT AREA	10,000 s.f. for 2-family, 6,000 s.f. for other	9,293.7 (+/-) s.f.
LOT WIDTH	30 ft.	100 (+/-) ft.
LOT FRONTAGE	30 ft.	165.4 (+/-) ft.
YARDS (MIN)		
FRONT	20 ft. for 2-family, 10 ft. for other	1.1 (+/-) ft.*
SIDES	Each 6 ft. totaling 12 ft.	14.7 (+/-) ft. 1.1 (+/-) ft.*
REAR	15 ft.	28.6 (+/-) ft.
MAX. HEIGHT	40 ft or 3 stories	1 story
BUILDING AREA	N.A.	4,411.5 s.f.
MAX LOT COVERAGE	40%	47%
GROSS FLOOR AREA	N.A.	4,411.5 s.f.
PARKING SPACES	2 spaces per dwelling unit 1 space per 1,000 s.f. for warehouse use	12 spaces

*PRE-EXISTING CONDITIONS

JEFFREY A. ECONOM, P.E.
CONSULTING ENGINEER
48 LOGANBERRY COURT
HOPEWELL JUNCTION, N.Y. 12533
PHONE: (845) 554-8442
EMAIL: jaeconom@optonline.net

PROPOSED SITE PLAN
for
MR. IBRIANIS DOMINGUEZ
1 COTTAGE STREET
POUGHKEEPSIE, NY 12603

Project
C:\Jobs\22-15\1 COTTAGE STREET SITE PLAN.DWG

Date
12-05-22

Scale
AS NOTED

Sheet
C-1

Short Environmental Assessment Form

Part 1 - Project Information

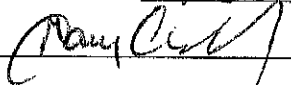
Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
City of Poughkeepsie, ZBA			
Name of Action or Project:			
Ibriants Dominguez			
Project Location (describe, and attach a location map):			
1 Cottage Street, Poughkeepsie, NY 12601			
Brief Description of Proposed Action:			
Name of Applicant or Sponsor:		Telephone: 845-471-9370	
Z3 Consultants		E-Mail: support@z3consultants.com	
Address: PO Box 363			
City/PO:		State:	Zip Code:
LaGrangeville		NY	12546
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			NO YES
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			☐ ☐
2. Does the proposed action require a permit, approval or funding from any other government Agency?			NO YES
If Yes, list agency(s) name and permit or approval: City of Poughkeepsie Building Dept. and Zoning Board			☐ ☒
3. a. Total acreage of the site of the proposed action?		0.21 acres	
b. Total acreage to be physically disturbed?		_____ acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☒ Commercial ☒ Residential (suburban)			
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify):			
☐ Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	☒	☐	☐
b. Consistent with the adopted comprehensive plan?	☒	☐	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	☐	☒	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	☒	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	☒	☐	
b. Are public transportation services available at or near the site of the proposed action?	☐	☒	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☐	☒	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	☒	☐	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	☐	☒	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	☐	☒	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	☒	☐	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	☒	☐	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	☒	☐	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	☒	☐	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☒ Urban ☐ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	☒	☐
16. Is the project site located in the 100-year flood plan?	NO	YES
	☒	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources?	NO	YES
If Yes,	☒	☐
a. Will storm water discharges flow to adjacent properties?	☒	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	☒	☐
If Yes, briefly describe:		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?	NO	YES
If Yes, explain the purpose and size of the impoundment:	☒	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?	NO	YES
If Yes, describe:	☒	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?	NO	YES
If Yes, describe:	☒	☐
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>Z3 CONSULTANTS INC</u> Date: <u>10/25/22</u>		
Signature: <u></u> Title: <u>Pres</u>		

PRINT FORM

Project:

Date:

Short Environmental Assessment Form
Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

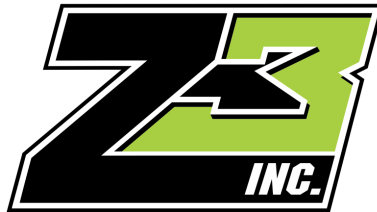
	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	☒	☐
2. Will the proposed action result in a change in the use or intensity of use of land?	☒	☐
3. Will the proposed action impair the character or quality of the existing community?	☒	☐
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	☒	☐
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	☒	☐
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	☒	☐
7. Will the proposed action impact existing:		
a. public / private water supplies?	☒	☐
b. public / private wastewater treatment utilities?	☒	☐
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	☒	☐
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	☒	☐
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	☒	☐
11. Will the proposed action create a hazard to environmental resources or human health?	☒	☐

PRINT FORM

Gary Beck

[Z3 Consultants Inc.](#)

12/12/2022 | 29 Photos



1 Cottage Street



Section 1



Project: 1 Cottage Street
Date: 11/30/2022, 9:11am
Creator: Danielle LeClerc



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Creator: Danielle LeClerc



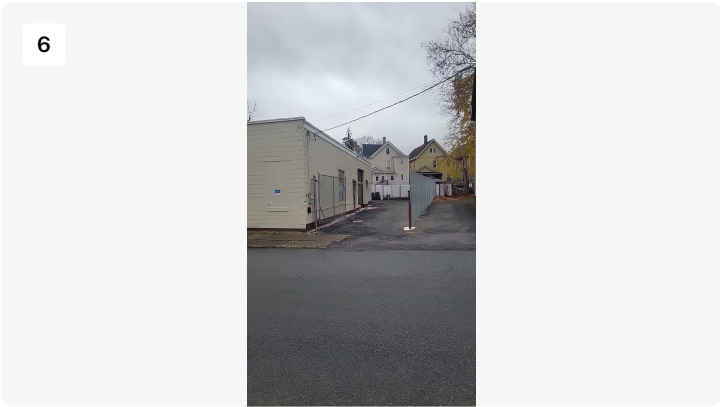
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Project: 1 Cottage Street
Date: 11/30/2022, 9:12am
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Project: 1 Cottage Street
Date: 11/30/2022, 9:13am
Creator: Gary Beck



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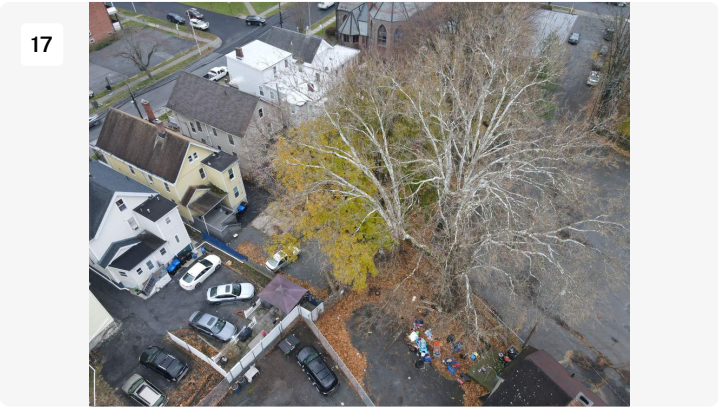
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Creator: Gary Beck



Project: 1 Cottage Street
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Creator: Danielle LeClerc



Project: 1 Cottage Street
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Project: 1 Cottage Street
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Creator: Danielle LeClerc



Project: 1 Cottage Street
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Creator: Danielle LeClerc



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Project: 1 Cottage Street
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Creator: Danielle LeClerc



Project: 1 Cottage Street
Date: 11/30/2022, 9:20am
Creator: Danielle LeClerc



Project: 1 Cottage Street
Date: 11/30/2022, 9:20am
Creator: Danielle LeClerc

**OWNER
AFFIDAVIT**

State of New York
County of Dutchess

}
}
} ss:
}

Ibranis Dominguez, being duly sworn, deposes and says:

1. That I/we are the Owner(s) of the within property as described in the foregoing application for a ZBA Interpretation Application and that the statements contained therein are true to the best of my/our knowledge and belief.
2. That I/we hereby authorize Frank Redl and/or Gary Beck to act as my representative in all matters regarding said application(s), and that I have the legal right to make or authorize the making of said application.
3. That I understand that by submitting this application that I shall be responsible for the payment of all application fees, review fees, and inspection fees incurred by the City related to this application.
4. That I understand that the City of Poughkeepsie Zoning Board of Appeals intends to rely on the foregoing representations in making a determination to issue the requested applications and approvals and that under penalty of perjury I declare that I have examined this affidavit and that it is true and correct.


Applicant/Owner

Applicant/Owner

Sworn to before me this 25th day of

April, 2023.


Notary Public

KARA BUCHER
Notary Public, State of New York
No. 01BU6388380
Qualified in Dutchess County
Commission Expires March 4, 2027



BUILDING DEPARTMENT

CITY OF POUGHKEEPSIE

62 CIVIC CENTER PLAZA, 2ND FLOOR

POUGHKEEPSIE, NY 12601

Phone: (845) 451-4007 Fax: (845) 451-4006

Eric Phillipp
Building Inspector

VIOLATION(S) / SCHEDULE A

Property Address: 1 Cottage St
Complaint Number: 2022-0553

Count: 1

Violation Date: 08/24/22

Description: Warehouse for storage which is a non conforming use is being used as upholstery shop and vehicle detailing shop without approval.

Area involved: 1 Cottage St

Violation Code:

CHARTER AND CODES OF THE CITY OF POUGHKEEPSIE, NEW YORK Chapter 6, BUILDING AND UTILITY CODES ARTICLE I, BUILDING CODE DIVISION 2 ADMINISTRATION OF THE UNIFORM CODE Section 6-30 Certificate of occupancy (c) Change in use, occupancy.

No change shall be made in the use or type of occupancy of an existing building unless a certificate of occupancy authorizing such change shall have been issued by the Building Inspector.

Comply by date: 09/23/22

Corrective Action: Obtain an issued building permit including two sets of stamped plans and apply for required use and area variances within 30 days. Receive all required approvals and close out building permit within 60 days of violation.

Count: 2

Violation Date: 08/24/22

Description: Warehouse for storage which is a non conforming use is being used as upholstery shop and vehicle detailing shop without approval.

Area involved: 1 Cottage St

Violation Code:

CHARTER AND CODES OF THE CITY OF POUGHKEEPSIE, NEW YORK Chapter 19, ZONING AND LAND USE REGULATIONS ARTICLE V, NONCONFORMING USES AND NONCOMPLYING BUILDINGS Section 19-5.1 Nonconforming uses

The following provisions shall apply to all uses existing on the effective date of this chapter which do not conform to the requirements set forth in this chapter, to all uses that become nonconforming by reason of any subsequent amendment to this chapter and to all buildings containing such uses.

(1) Except as provided hereinafter, nonconforming use of buildings or open land, regardless of change of title, possession or occupancy or right thereof, may be continued indefinitely, except that such building or use:

(a) Shall not be enlarged, altered, extended, reconstructed or restored, except as provided elsewhere in this section; or placed on a different portion of the lot or parcel of land occupied by such use on the effective date of this chapter, nor shall any external evidence of such use be increased by any means whatsoever.

- (b) Shall not be moved to another location where such use would be nonconforming.
- (c) Shall not be changed to another nonconforming use without approval by the Zoning Board of Appeals, and then only to a use which, in the opinion of said Board is of the same or of a more restricted nature. No building or land changed to a more restricted nonconforming use shall be changed back to a less restrictive use.
- (d) Shall not be reestablished or changed to another nonconforming use if such use has been discontinued for any reason for a period of one year. Intent to resume a nonconforming use shall not confer the right to do so.
- (e) Shall not be reestablished if such use has been changed to or replaced by a conforming use.
- (f) Shall not be restored for other than a conforming use after damage for any reason exceeding 75% of its market value. If the restoration of a building whose damage does not exceed 75% of its market value is not completed within a one-year period, the nonconforming use of such building shall be deemed to have been discontinued.

(2) In order to implement the provisions of Section 19-5.1(1)(d) above, it shall be necessary for a property owner or tenant with a legal nonconforming use to secure a certificate of legal nonconformity in accordance with Section 19-7.6 of this chapter and to surrender such certificate to the Building Inspector at the time that a nonconforming use is discontinued.

(3) Upon a finding by the Planning Board that a proposed remodeling of a nonconforming building, including the improvement of its exterior appearance and of its grounds, would result in enhancing the compatibility of such building with its surroundings, said Board may authorize the issuance of the necessary permits. For purposes of this section, the term "remodeling" may include enlargement of the building to an extent not exceeding 25% of its area on the effective date of this chapter, provided that the Board shall find that such expansion will not diminish the compatibility of said building with the existing or potential use of immediately adjacent properties.

Comply by date: 09/23/22

Corrective Action: Obtain an issued building permit including two sets of stamped plans and apply for required use and area variances within 30 days. Receive all required approvals and close out building permit within 60 days of violation.

Count: 3

Violation Date: 08/24/22

Description: Warehouse for storage which is a non conforming use is being used as upholstery shop and vehicle detailing shop without approval.

Area involved: 1 Cottage St

Violation Code:

CHARTER AND CODES OF THE CITY OF POUGHKEEPSIE, NEW YORK Chapter 19, ZONING AND LAND USE REGULATIONS ARTICLE III, DISTRICT REGULATIONS Section 19-3.15 Medium High-Density Residence District (R-4)(2) Permitted uses (a) Uses permitted by right:

1. Single-family detached dwellings.
2. Two-family dwellings.
3. Townhouses.
4. Multifamily dwellings.
5. Home occupations, subject to the requirements of Section 19-4.1 of this Chapter or professional offices, subject to the requirements of Section 19-4.2 of this Chapter.
6. Municipal parks and recreational facilities, including refreshment and service buildings accessory thereto and any other governmental uses and structures of the City of Poughkeepsie, the County of Dutchess or the state or federal governments or agencies thereof.
7. Public, private and parochial schools as regulated in Section 19-3.12(2)(a)4 herein.
8. Cemeteries.
9. Renting of not more than two (2) rooms by the resident family, provided that no sign advertising the availability of such rooms shall be displayed.

Comply by date: 09/23/22

Corrective Action: Obtain an issued building permit including two sets of stamped plans and apply for required use and area variances within 30 days. Receive all required approvals and close out building permit within 60 days of violation.



Gary E. Beck, Jr.
Building Inspector

**THE CITY OF POUGHKEEPSIE
NEW YORK**

**BUILDING PLANNING & ZONING
62 CIVIC CENTER PLAZA, 2ND FLOOR**

POUGHKEEPSIE, NY 12601

Phone: (845) 451-4007 Fax: (845) 451-4006

POUGHKEEPSIE, NEW YORK - May 4, 2017

PERMIT NO. BP-17-0531 OF 05/04/2017

ID #111010

ZONING DISTRICT R-4

CERTIFICATE OF OCCUPANCY

THIS IS TO CERTIFY THAT THE BUILDING/STRUCTURE/PROPERTY LOCATED AT 1 Cottage St IN THE CITY OF POUGHKEEPSIE, NEW YORK, HAS BEEN INSPECTED AND FOUND TO BE IN COMPLIANCE WITH THE ZONING ORDINANCE AND PLANS AND SPECIFICATIONS ON FILE WITH THE ABOVE REFERENCED PERMIT NUMBER.

THE AUTHORIZED USE OF THIS BUILDING/STRUCTURE/PROPERTY IS A:

One Story Construction Type: 3-B Occupancy Class: S-2

THE FOLLOWING USES ARE PERMITTED:

WAREHOUSE - STORAGE AREA WITH TOILET ROOM AND ONE OFFICE SPACE.

NO CHANGES IN THE NATURE OF THE USE OF THIS BUILDING AND PROPERTY IS AUTHORIZED WITHOUT THE APPROVAL OF THE CITY OF POUGHKEEPSIE, NEW YORK.


Eric Philipp, Deputy Building Inspector

JULY 1st, 2023

**ZONING BOARD OF APPEALS
CITY OF POUGHKEEPSIE**

Property Location:
1 Cottage Street

Submitted By:
Z3 Consultants, Inc.
464 Freedom Plains Road
Poughkeepsie, NY 12603

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INTRODUCTION

This Interpretation is on appeal from an order rendered by Joseph D. O'Brien, Deputy Zoning Administrator of the City of Poughkeepsie.

This is an appeal in accordance with 19-8.4 Powers and Duties. (1) Interpretation. On appeal from an order, requirement, decision or determination made by and administrative official or on request by an official, board or agency of the City, to decide any one of the following questions: (c) approval for change of a legal nonconforming use, pursuant to section 19-5.1(1) of the Zoning Ordinance of the City of Poughkeepsie.

Section 19-5.1 Nonconforming uses.

(1) Except as provided hereinafter, nonconforming use of buildings or open land, regardless of change of title, possession or occupancy or right thereof, may be continued indefinitely, except that such building or use:

(c) Shall not be changed to another nonconforming use without approval by the Zoning Board of Appeals, and then only to a use which, in the opinion of said Board is of the same or of a more restricted nature. No building or land changed to a more restricted nonconforming use shall be changed back to a less restrictive use.

THE PROPERTY

- 1 Cottage Street was built in 1954 as a beverage warehouse with lots of vehicular traffic and in the late 90s was used as a sign manufacturing warehouse with lots of vehicular traffic and a roofing contractor warehouse with lots of vehicular traffic up until Ibrianis' s purchase in 2017.
- The property consists of .21 acres with a 3,060 square feet one-story block building.
- The property is located in the **R4** zoning district. *Purpose of district.* The purpose of this district is to provide areas for a broad range of housing types with opportunity for appropriate nonresidential uses at a fairly high density commensurate with the scale and characteristics of the city's older neighborhoods; these are areas with access to major transportation arteries and a range of community services.

Background

- On May 4, 2017, the City of Poughkeepsie Building Department issued a Certificate of Occupancy for the property.
- The CO provides that the allowed uses of the property are: One Story Construction Type: 3-B Occupancy, Class S-2. Permitted uses listed as: Warehouse – Storage area with toilet room and one office space.
- Ibrianis Dominguez purchased 1 Cottage Street in a dilapidated state in 2017.
- Ibrianis has been a resident of Poughkeepsie since moving from Cuba in 2004.
- Ibrianis has been a property owner since 2007

- Ibrianis has been a small business owner since 2009.
- Ibrianis made much needed improvements to the building inside and out while working in the family-owned upholstery warehouse.
- The upholstery warehouse that he operates employs two family members, is not open to the public and there is no loud machinery or vehicular traffic coming in and out all day long.
- Ibrianis was unaware that he needed to get permits for the improvements that he was making or that his upholstery warehouse was not considered a legal nonconforming use.
- Ibrianis operated the upholstery warehouse from 2017 until August of 2022 without any complaints.
- Without knowing Ibrianis let a friend use a small portion of the warehouse for car detailing but shortly after a complaint was filed with the Building Department.
- Violations were issued by Deputy Zoning Administrator in August 2022.
- On August 23, 2022, Z3 met with Joe O'Brien at the site to review violations and directives.
- After being issued violations in August 2022, the owner immediately removed the vehicle detailing shop.
- Z3 then proceeded to apply for and obtained Building Permits for a storage container, interior walls, electric, fencing, a bathroom, Furnaces & AC. The work was inspected and approved by the Building Inspector's office and Certificates of Compliance were issued for all work.

- Permits & CCs received to abate violations.

	Permit #	Permit Issued	CC Issued
Electric	22-1365	9-13-22	10-31-22
Walls	22-1362	9-20-22	12-6-22
Furnaces & AC	22-1361	9-13-22	12-5-22
Fence	22-1363	9-27-22	12-5-22
Storage Ct	22-1642	11-21-22	12-5-22
Bathroom	22-1364	12-6-22	12-6-22

- In September of 2022, there were multiple communications with Natalie recommending that we reach out to the zoning official who issued the violations and that we attend the Zoning meeting hosted by the City that discussed the zoning changes that would be happening shortly. Unfortunately, none of these changes would help our client.
- Communications about the Use Variance continued between Z3, Joe O'Brien and Lori Garcia.
- A use variance application was submitted on Nov. 1, 2022, and the fee of \$1,000.00 was paid.
- Our application for a Use Variance was submitted and rejected three times by Lori Garcia.
- In February, our client decided to put the building up for sale and received an offer very quickly.

JULY 1st, 2023

- On March 2, 2023, we requested the use variance application be placed on hold since the owner had received an accepted offer for the property.
- The prospective buyer submitted a Zoning Review Request form to the City of Poughkeepsie.
- On March 21, 2023, we received a response to the Zoning Review Request from the Deputy Zoning Administrator stating the building had no approved use.
- Our client then lost the buyer and has been unable to sell his property without a valid CO.

DISCUSSION

After the sale of the building fell through and further review of this project, we believe that the upholstery warehouse fits within the definition of warehouse and the legal non-conforming use for the CO issued in 2017 and that a use variance is not warranted.

The upholstery warehouse has operated since 2017 where materials and furniture are stored and prepared for delivery without increased noise, traffic, or any incidents.

We would like to have the Board consider approving this upholstery warehouse as legal nonconforming which we believe is an appropriate nonresidential use for this older neighborhood and consistent with the R-4 Zoning which allows for a broad range of housing types with opportunity for appropriate nonresidential uses with close proximity to the major transportation arteries and this use is more restrictive in nature than the prior uses.



Gary E. Beck, Jr.
Building Inspector

**THE CITY OF POUGHKEEPSIE
NEW YORK**

**BUILDING PLANNING & ZONING
62 CIVIC CENTER PLAZA, 2ND FLOOR**

POUGHKEEPSIE, NY 12601

Phone: (845) 451-4007 Fax: (845) 451-4006

POUGHKEEPSIE, NEW YORK - May 4, 2017

PERMIT NO. BP-17-0531 OF 05/04/2017

ID #111010

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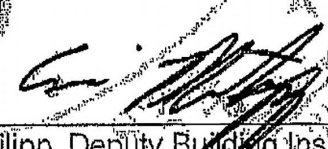
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WAREHOUSE - STORAGE AREA WITH TOILET ROOM AND ONE OFFICE SPACE.

NO CHANGES IN THE NATURE OF THE USE OF THIS BUILDING AND PROPERTY IS AUTHORIZED WITHOUT THE APPROVAL OF THE CITY OF POUGHKEEPSIE, NEW YORK.


Eric Philipp, Deputy Building Inspector

A good warehouse layout consists of 5 areas:

- **Loading and unloading area** - This is the area where goods are unloaded and loaded into the truck. It could be part of the building or separated from the building.
- **Reception area** - Also known as staging area, this is a place where the incoming goods are processed and reviewed and sorted before proceeding to storage.
- **Storage area** - This is the area of the warehouse where goods sit as it awaits dispatch. This area can be further subdivided into static storage for goods that will take longer before being dispatched and dynamic storage for goods that sell faster.^[11]
- **Picking area** - This is the area where goods being dispatched are prepared or modified before being shipped.
- **Shipping area** - Once goods have been prepared, they proceed to the packing or shipping area where they await the actual shipping.
- The NYS Building Code or the Zoning Code of the City of Poughkeepsie does not have a definition of a warehouse. The definition, there are many different types of warehouses such as distribution centers, cold storage warehouses, public & private warehouses. The term warehouse is open-ended.



BUILDING DEPARTMENT

CITY OF POUGHKEEPSIE
62 CIVIC CENTER PLAZA, 2ND FLOOR
POUGHKEEPSIE, NY 12601
Phone: (845) 451-4007 Fax: (845) 451-4006

Eric Philipp
Building Inspector

March 21st, 2023

Frank Redl

Re: 1 Cottage Street
Zoning Review Request

Dear Mr. Redl,

The Development Department is in receipt of your zoning review request relative to the property at 1 Cottage Street and the proposed conversion of the existing building with no approved use into storage of motor vehicles. This property is located within the Medium High-Density Residence District(R-4) which does not allow the storage of motor vehicles as the primary use per code Section 19-3.15(2) of the zoning ordinance. Therefore, any request to establish such a use would be denied. You would have the right to appeal the terms of such denial to the Zoning Board of Appeals, requesting that a Use Variance be granted. Please note that there may be Area Variances that would be required if a Use Variance was to be granted, they are as follows;

1. Section 19-3.15(4)(e) requires side yards be at least 10'; the right side yard appears to be less than 10' but the plan provided is not to scale.
2. Section 19-3.15(4)(e) requires the rear yard be at least 15'; the provided plan shows the rear yard is only 14'8".
3. Section 19-3.15(4)(f) requires the front yard be at least 20'; the front yard appears to be less than 20' but the plan provided is not to scale.
4. Section 19-3.15(4)(h) requires a maximum lot coverage of 40%; this cannot be determined at this time due to the plan not being to scale, please submit a calculation on the updated plan.
5. Section 19-4.3(11)(d) states that all uses not listed shall have their parking requirements determined by Planning Board to be needed to prevent frequent parking on the street; no parking is indicated on the plans but if the Planning Board determines parking will be required then you will need to comply with Section 19-4.3 in its entirety.
6. Section 19-4.11 requires landscaping for commercial properties; no landscaping is proposed on the provided plan.
7. Section 19-4.12(6) requires lots under water or subject to flooding shall not have more than 10% of the minimum area requirement of a lot may be fulfilled by land which is under water or subject to periodic flooding, all minimum front, side and rear yard requirements shall be satisfied on dry land; the entirety of the lot is in a flood zone.

If a Use Variance is granted by the Zoning Board of Appeals and after any Area Variances are granted by the Zoning Board of Appeals if required, you would then need to obtain Site Plan



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Eric Philipp
Building Inspector

approval from the Planning Board. After that you would need to file all required Building permits and obtain an Issued Certificate of Occupancy from the Building Department.

Additionally please note that the City is currently in the process of revising and updating its Zoning Ordinance. The draft and map are available to view at www.PK4Keeps.org.

If you have any questions or comments please feel free to contact me, info is listed below, thanks.

Joseph D. O'Brien

Deputy Zoning Administrator

Office - 845-451-4273

jobrien@cityofpoughkeepsie.com





2017



L Garcia @ City of Poughkeepsie.com

**THE CITY OF POUGHKEEPSIE
NEW YORK**

PLANNING & ZONING
62 CIVIC CENTER PLAZA, 2ND FLOOR
POUGHKEEPSIE, NY 12601

Phone: (845) 451-4055 Fax: (845) 451-4006

FEE: \$1000.00

CODE: A2112

ID# _____

IPS# _____

ZONING BOARD OF APPEALS USE VARIANCE APPLICATION

PROPERTY ADDRESS: 1 Cottage StreetZONING DISTRICT: R-4**PAID**

NOV -1 2022

OWNER INFORMATION:

Name: Floriano DominguezAddress: 113 Catherine StreetPhone: 845-242-7402Email: Floriscw@yahoo.com**RECEIVED**

NOV 1 2022

APPLICANT INFORMATION:

Name: Z3 Consultants Inc.Address: PO Box 363Phone: 845-471-9376Email: Support@z3consultants.com

CONSULTANT INFORMATION:

Name: Z3 Consultants Inc.Address: PO Box 363Phone: 845-471-9376Email: Support@z3consultants.com**SUBJECT OF APPEAL**

This application relative to the above referenced property constitutes an appeal from the decision, determination or violation of an official of the City of Poughkeepsie.

Name and title of agent: Joseph O'BrienDate of decision/determination/violation: 8-23-2022

Please note that a copy of the communication must be attached with this application.

1 COTTAGE STREET

ZONING BOARD OF APPEALS USE VARIANCE

Introduction: We are seeking approval for a family-owned upholstery shop. It is the belief of the property owner, that the requested variance will not be detrimental to the health, safety and welfare of the neighborhood, nor to the City of Poughkeepsie. Previously, the building was used by a sign company and a wholesale beverage company with trucks coming in and out and open to the public. The current owner and his parents want to use it for a private garage and an upholstery business that is for service only and no retail sales. The purpose of the R-4 district is "to provide areas for a broad range of housing types with opportunity for appropriate nonresidential uses at a fairly high density commensurate with the scale and characteristics of the city's older neighborhoods; these are areas with access to major transportation arteries and a range of community services." The permitted uses of R-4 include: Single-family detached dwellings, two-family detached dwellings; Townhouses; Multifamily dwellings; Home occupations; Municipal parks and recreational facilities; Public, private and parochial schools; Cemeteries; and Renting of not more than two rooms by the resident family.

Reason for appeal:

- 1) **The applicant cannot realize a reasonable return, provided that lack of return is substantial as demonstrated by competent financial evidence. (The applicant must demonstrate, by competent financial evidence, that they cannot realize a reasonable financial return on their property for any of the currently permitted uses in the Zoning District. The financial statement should relate only to the subject property and not to the applicant's personal finances.**

The space would be far too costly to convert from commercial to residential. The cost of converting the property/building to a structure that could house a permitted use would exceed any reasonable rate of return on the owner's investment.

A rough estimate of the construction cost to convert the existing 3,060 square feet of space to residential space would be \$150 per sf x 3,060 sf, for a total cost of renovation at appx. \$459,000. Parking is limited and could be an issue for prospective tenants.

- 2) **The alleged hardship relating to the property in question is unique and does not apply to a substantial portion of the district or neighborhood. (Please explain how the alleged hardship relating to the property in question is unique and does not apply to a substantial portion of the district or neighborhood. For example, does the subject property have unique constraints or characteristics not found in other properties in the district or neighborhood.**

The building at 1 Cottage Street was built in 1955 and the building was used as storage & warehouse and was previously occupied by a sign company. Most of the surrounding buildings in this neighborhood are one, two and three-family homes with limited parking. The owner is operating a family-owned upholstery business with his mother and father as his only employees. The upholstery shop does not rely on walk-in customers for business as most of his orders are placed online and over the phone. If the building were to be used for a warehouse it would create more traffic in the neighborhood from trucks, etc. with deliveries.

- 3) The requested use variance, if granted, will not alter the essential character of the neighborhood. Explain fully how the character of the neighborhood will not be altered and the intent of the Zoning Ordinance will not be adversely affected.

If the requested use variance were granted, it will not alter the essential character of the neighborhood, nor will the zoning ordinance be adversely affected. The owner has made only positive improvements to the interior and exterior of the building, cleaning it up and maintaining his property. Being that this is a family business, it fits in with the residential neighborhood of families that surrounds it and it is not contributed to additional traffic in the neighborhood.

- 4) Is the alleged difficulty self-created? Explain fully how the hardship is not self-created.

This hardship is not self-created, the property was purchased as a legal non-conforming building/use. The owner was looking for a location with enough space for him and his parents to make an honest living in the upholstery business. What they are doing does not create loud noise or extra traffic in the neighborhood.

